The International Studies program is an interdisciplinary major that includes faculty from Anthropology, Business, Economics, Foreign Languages, History, and Political Science. In addition to the major, students may choose from five regional concentrations: Africa, East Asia, Latin America, Near East, and Western Europe. The academic program provides students with a strong foundation of theoretical knowledge and practical experience. The curriculum is enhanced with opportunities for internships; study abroad and foreign exchanges; extracurricular activities such as the Model United Nations and Model African Union as well as on-campus programming through the Goldstein Program in Public Affairs, International House and International Studies Council. Our majors have careers and advanced training in teaching, politics, business, journalism, international work, and public service.

Founded in 1782 under the patronage of George Washington, Washington College is a private, independent college of liberal arts and sciences located in historic Chestertown on Maryland's Eastern Shore.

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CONTENTS

Editors' Note

In an ever-changing world, there are always new and exciting things to learn, observe, and experience. At Washington College our students embrace these unique opportunities, whether they study or travel abroad, volunteer, work or intern, or simply remain informed about world events. Inevitably one wishes to share their experiences and knowledge with others, and so we are pleased to bring you the second issue of the *Washington College International Studies Review*. The *Review* was created to provide a formal opportunity for students and alumni to share their research, experiences, and interests. There are a wide variety of these experiences in this issue, ranging from contemporary relations between the United States and Cuba to health concerns in Asia and Africa to human rights in Turkey. The inspiration for many of the articles comes from student experiences while abroad, such as research projects or new ideas formulated from living and studying in a new culture. This second issue of the *Review* strives to expand the journal to include a wide variety of topics and perspectives. With this in mind, we have added a new section to the *Review* entitled "Notes from Abroad," which is a forum for our current students and alumni traveling, living and working abroad. These experiences are both fascinating and thought provoking and we welcome all students and our wonderful alumni base to share their experiences with us. Our sincere appreciation goes out to all of those who submitted their stories.

This year we also welcomed submissions from our study abroad partners at Bogaziçi University in Turkey, the University of Oulu in Finland, Al Akhawayn University in Morocco, and Universidad Autónoma de Guadalajara in Mexico. Next year we hope to expand this opportunity to students at our abroad partners at Rhodes University in South Africa, Lingnan University in Hong Kong, Yonsei University in South Korea, University of St. Andrews in Scotland,

Pontifica Universidad Católica del Perú, and the University of Hull in the United Kingdom.

We would like to thank Dr. Tahir Shad, Director of the International Studies program and Curator of the Louis L. Goldstein Program in Public Affairs, Kevin Coveney, Vice President for Admissions, and Elizabeth Herman, Vice President for Development and Alumni Relations for their financial support. We are grateful to Diane Landskroener for her beautiful production design and Kent Printing for their excellent work. We would also like to thank Angie Haley for her editorial assistance. Finally, we would like to thank everyone who submitted entries for consideration. Without your dedication and enthusiasm the *Washington College International Studies Review* would not be possible.

> Christine J. Wade, Ph.D., Editor-in-Chief
> Laura Parr '05, Editor
> Michelle Disney '05, Junior Editor
> David Hosey '07, Junior Editor

ARTICLES

Crying Wolf

International Terror and the New Shadow
Upon U.S. – Latin American Relations

NICO ARMSTRONG

In August 2004 the Justice Department leaked the breaking story to major news outlets across the United States: an Al Qaeda operative named Adnan El Shukrijumah was spotted in Honduras. Attorney General John Ashcroft placed a U.S. $5 million bounty on his head and Central American governments publicly said they were battening down the hatches. Rumors of what Shukrijumah was doing in Central America gave birth to new rumors, but nothing could be verified. While the story disappeared from the chronically short attention span of most of the North American public as quickly as it had entered, it was so far the most public manifestation of a growing concern among U.S. policy makers—Al Qaeda was attempting to create a foothold in Latin America, the "potential last frontier for international terrorism."[1] The reaction of some Congressional Republicans was close to hysteria. Florida Representative Ileana Ros-Lehtinen, responding to a question by reporter Eric Weiner about Al Qaeda infiltration, wrung her hands on National Public Radio, saying "When you look at the whole area, you can point to just about every country in Latin America and say, 'Oh my goodness, you're right.

There seems to be a pattern here.'" [2] From the mean streets of Tijuana and Tegucigalpa to the steamy jungles of Colombia and Paraguay, mountains of evidence suddenly pointed to a deadly terrorist threat on the United States' southern doorstep. But in Latin America, things are never as they seem. While the threat of Middle Eastern terror taking root in Latin America is real, Americans should take sensational reports of imminent terrorist plots with a grain of salt. A close analysis of recent events in Latin America reveals that the fear of a Latin terror threat provides useful ammunition to political agendas both at home and abroad.

Throughout the history of U.S.-Latin American relations, the United States has not hesitated to intervene, often militarily, in the politics and lives of Latin Americans. The pretexts have changed over the years: during the 19th and early 20th century Latin America had to be protected from European aggression and colonialism; Latin America was falling prey to international communism during the Cold War; and after the collapse of the Soviet Union, the War on Drugs justified large levels of military aid to a number of South American countries along with the invasion of Panama. Now, in the post Sept. 11 world, international terrorism has replaced communism as the greatest threat to the United States, and the same hardliners who saw communists behind every palm tree and in every banana plantation are starting to see terrorists. Shortly after President Bush's fateful "Axis of Evil" speech, neoconservative pundits were claiming that Castro's government possessed a biological weapons program.[3] In Nicaragua, the United States' Sandinista foe Daniel Ortega was also recast as a terrorist. Before Nicaragua's 2001 presidential election, the Bush administration let Nicaraguan voters know in no uncertain terms that if they elected Ortega, Nicaragua might be placed on the United States' list of nations that support terrorism.[4] The State Department's list of Ortega's terrorist connections was quite long—they included Castro, Saddam Hussein, Libya's Muammar Qaddafi, Colombia's FARC, and the Basque separatist group ETA. In El Salvador's 2004 presidential elections, the already unpopular FMLN candidate Shafik Handal, communist guerrilla leader turned politician, was made further

unpopular by insinuations from high levels of the State Department that he had ties to international terrorism and that his election could possibly cause the United States to consider El Salvador to be a supporter of terrorism, thereby blocking all financial remittances made by Salvadorans working in the United States.[5] While the impact of this overt meddling in the democratic process of sovereign nations is not yet clear, the Bush administration got what it wanted in both cases—Daniel Ortega lost to Enrique Bolaños of the conservative APRE party and Shafik Handal lost to Tony Saca of the similarly conservative ARENA party.

The polarizing language of the war on terror has been flung around just as carelessly in South America. The South American populist backlash against the excesses of hastily imposed neoliberal economic policies has produced a new crop of leaders that, if the reader is to believe hawkish members of the Republican party, pose a grave threat to the United States. In October 2002, Henry Hyde, Republican Congressman of Illinois and chair of the House International Relations Committee, wrote a letter to President Bush in which he declared that the newly-elected leftist president of Brazil, Luiz Inacio Lula da Silva, had joined with the populist Venezuelan firebrand Hugo Chávez and Fidel Castro to form a "Latin American Axis of Evil."[6] Dozens of neoconservative think tanks from the Heritage Foundation to the Institute of World Politics all began spouting stories about the imminent peril posed by the elections of Hugo Chávez and Lula da Silva. David T. Pyne, president of the Center for the National Security Interest and one time International Programs Manager for the Department of Defense, wrote in the American Prospect that "Led by President-Elect Lula da Silva of Brazil [. . .], a new Marxist coalition consisting of Brazil, Ecuador, Cuba and Venezuela will be established in opposition to America. This Marxist coalition will support terrorist actions against its non-Marxist Latin American neighbors and the United States."[7] Constantine Menges, a senior fellow in the influential Hudson Institute and former member of President Reagan's National Security Council, wrote "We must prevent a nuclear armed Axis of Evil in the Americas," referring to Lula da Silva's now abandoned

flirtation with reviving Brazil's atom bomb project, and continued with charges that Lula da Silva is a "supporter of terrorism" who will "permit covert support to be given to bring about anti-American regimes in Bolivia, Colombia, Ecuador and Peru."[8]

If Lula da Silva threatens to restart the Cold War, then Hugo Chávez, the fiery Venezuelan socialist who delivers anti-U.S. sermons almost daily, must be in league with the devil himself. Or, if not the devil, then his corporate entity, Al Qaeda. Rumors of Al Qaeda training camps in Venezuela first surfaced in 2003—now General James Hill, head of U.S. Southern Command (SouthCom), claims that Venezuela is a virtual breeding ground of Islamic radicals.[9] Chávez has made no bones about visiting Middle Eastern dictators such as Saddam Hussein and Muammar Qaddafi, but the neoconservative *Weekly Standard* even went so far as to accuse Chávez of having donated Osama bin Laden US $1 million. The Colombian government of Álvaro Uribe has accused Chávez of harboring FARC guerrillas, and *The National Review* has suggested that Venezuela be placed on the United States' list of terror supporting nations.[10] The antipathy of the Bush administration toward Chávez manifested itself in the embarrassing 2002 coup attempt against the Venezuelan populist. In the first few hours after Chávez had apparently been deposed by a feckless coalition of Venezuelan military officers and powerful businessmen, United States was the only member of the Organization of American States (OAS) that did not condemn the coup, a fact which resonated as hypocrisy throughout Latin America. Later, leftist newspapers across the globe touted photographic proof that the United States had actually helped organize the coup – two U.S. military officers were photographed meeting with some of the coup leaders in Caracas.[11] However, the coup attempt was a humiliating failure and Chávez regained power within 48 hours.

The coup attempt against Chávez and the rumblings in the hawkish neoconservative community are symptomatic of a discernible Bush administration effort to consolidate the War on Drugs and the War on Terror and remilitarize police functions that in South America have

only just begun to come under civilian control after the brutal era of the military dictatorships. Uribe's claim that Chávez is harboring FARC guerrillas, and reports out of Colombia that seasoned Irish Republican Army bomb-makers helped to train FARC soldiers, dovetail nicely with this effort. The FARC, referred to by its Spanish acronym for Revolutionary Armed Forces of Colombia, has been attempting to overthrow the Colombian government since the 1960s. Its members are well trained, well armed, and thanks to its taxation of Colombia's multi-billion dollar cocaine trade, very well financed. Even so, given that its goals are limited solely to Colombia and that it has no known connections to Islamic terrorist organizations, it does not seem like a likely target of the United States' War on Terror. The Bush administration has been grasping at straws to prove that the FARC is indeed an international terror threat, a type of Latin American Al Qaeda, and news of FARC associations with Chávez and IRA terrorists is welcome news to some people in Washington. Indeed, according to Marcela Sanchez of *The Washington Post*, the fact that the FARC is not known to have committed a terrorist act outside of Colombian soil has been "to the chagrin of some members of the U.S. Congress."[12]

The practical implications of refashioning the War on Drugs in Colombia into a war against the FARC are enormous because, although the FARC is neck deep in the cocaine trade, it is only one of several key players. A U.S. backed counterinsurgency campaign against the FARC would overlook the other primary movers of the cocaine trade, including the drug cartels themselves, thousands of poor Colombian farmers whose poverty makes growing coca a very attractive occupation, and most importantly, the AUC, a powerful rightwing paramilitary group with close ties to the Colombian military. Like the FARC, the AUC (United Self-Defenses of Colombia) is listed by the State Department as a terrorist organization. Professional Israeli and British mercenaries have trained its forces,[13] which ostensibly makes the AUC just as much of an "international" terrorist group as the FARC. Like the FARC, it receives the majority of its funding from the cocaine trade and engages in many of the same abuses—in the year 2000

alone, this paramilitary group killed at least 1,000 civilians in its effort to rid Colombia of leftist guerrillas.[14] However, there is a strong motive for both the Uribe and Bush administrations to shift the focus from the AUC and focus it squarely on the FARC: the paramilitaries have been much more effective than the Colombian military in combating the Marxist insurgents.

In order to justify a more muscular U.S. participation in Colombia's civil war, the FARC must be seen as international terrorists. In order to vilify Latin American leaders opposed to U.S. policies, they must be painted as terrorist sympathizers or sponsors. And the potential terrorist threat must be everywhere to justify the Bush administration's encouragement of the militarization of Latin American police forces. The new "Effective Sovereignty Doctrine" of the Bush administration in regards to Latin America states that vast "ungoverned spaces" in Latin American nations provide fertile ground for terrorists to take root.[15] The Bush administration's solution is to beef up the police and use the military to bring order to these lawless areas, which range from slums in Asunción to thick Amazon rainforest. Due to this program, the number of Latin American police and soldiers trained by the U.S. military jumped 52% between 2002 and 2003.[16] The skills taught are primarily counterinsurgency tactics, just like during the Cold War. The parallels are too obvious for even the least skeptical observer to ignore. During the Cold War the United States trained thousands of Latin American soldiers in counterinsurgency tactics to root out communist guerrillas and in the process these soldiers committed gruesome atrocities against innocent civilians. Now the process seems to be repeating itself, but with terrorists replacing communists. All of the United States' pre-September 11th enemies in Latin America, leftist politicians, the drug traffickers, and the holdover communist movements, are all being ominously lumped into the terrorist category. As in the Cold War, this tunnel-vision view of the terrorist threat provides seemingly simple military solutions while discarding more nuanced approaches that take into account the multifaceted nature of the differences between Latin American countries and what really goes on in their "ungoverned spaces." Under

SouthCom, the Pentagon is increasing its presence in Latin America at the expense of the State Department—SouthCom has more military personnel in Latin America than the State Department has diplomatic personnel.[17] Therefore it is no surprise that U.S. policy seems geared more towards subduing "ungoverned spaces" than bringing in the civilian institutions associated with law and order. Some governments have expressed alarm at this growing U.S. trend regarding security; the governments of Argentina and Chile both regard terrorism as a matter in which the military plays second hat to the civilian con-trolled police forces. The uneasiness of the southern cone (commonly recognized as Argentina, Chile, Paraguay and Uruguay) governments regarding U.S. designs on the "ungoverned zones" is probably why they canceled a planned OAS security meeting in Mexico City in May of 2003.[18] As Argentina's defense minister José Pampuro pointed out, "The vision of the United States [for the role of the military] is one of policing or internal control. Our vision is diametrically opposed to that."[19] Of all the nations in South America, Argentina is the most familiar with the types of horrors that can arise when the military be-comes responsible for maintaining internal order. During the rotating military dictatorship that lasted from 1976 to 1983, approximately 30,000 suspected subversives simply "disappeared." [20]

The Bush administration's military priorities ran up against a huge wall, which is Bush's other priority in Latin America: the Free Trade Act of the Americas, better known as the FTAA, a proposed hemi-spheric trading bloc that would encompass all of the Americas minus Cuba. This endeavor cannot be accomplished by SouthCom or the Pentagon—the Office of the Trade Representative and the State De-partment are instrumental in pressuring Latin American governments into signing a multilateral economic treaty, and it may be that the desire of the Bush administration to see the FTAA passed will restrain the militaristic designs of the Pentagon. While relations with Hugo Chávez have sunk to the level that no rapprochement in the near future is possible, President Bush has ignored the advice of his most hawkish advisors and has engaged Lula da Silva, who, in many ways, as president of the largest economy in Latin America, has enough

influence to make or break the FTAA. The embattled government of Colombia, however, has an obvious self-interest in encouraging greater U.S. military investment in its troops, as to some extent do the cash-strapped governments of Ecuador, Peru, and Bolivia. Many of the Central American governments would be more than pleased to have the United States turn a blind eye while their militaries crack down on the surge of gang violence within their borders. For these reasons, Bush's "Effective Sovereignty Doctrine" has seen much more cooperation from the Central American and Andean governments than from Brazil and the southern cone states that make up the trading bloc MERCOSUR.

But that brings us back to a fundamental question posed by Adnan El Shukrijumah's sighting in Honduras—are there Islamic militants in Latin America? All the wolf-crying of the neoconservative establishment might cause some to doubt anything they say about the presence of Islamic radicals in Latin America. After all, so far no evidence (aside from the quotes of the usual unnamed government officials) has loaned any credence to their claims linking Castro, Ortega, Chávez, Lula da Silva, or the FARC to Middle Eastern terror groups. However, the answer is yes, Islamic terror groups do have a presence in Latin America, and no, as of yet they have no connections to any of the above usual suspects. Shukrijumah's presence in Honduras certainly was not indicative of Al Qaeda training camps, though it does raise the very real possibility that Al Qaeda terrorists will try to enter the United States through Mexico. And in South America, groups linked to Islamic terror have long operated in at least one of the "ungoverned zones" that so preoccupy the Bush administration, the relatively lawless Ciudad del Este in Paraguay where the borders of Paraguay, Brazil, and Argentina meet. The influence, motivations, and the level of threat posed by Islamic radicals in Latin America makes this analysis worthy of a sequel. However, this much is certain: the din coming from the Bush administration and their allies is not only driven by thinly veiled ulterior motives but bares so little resemblance to the actual Islamic threat that it may actually aid it. The

ulterior motives open any anti-terror strategy to attack from both at home and abroad, and the departure from reality makes it impossible for any effective strategy to counter the actual terrorists. §

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Western Sahara

Reminiscence of Colonization in Africa

IOANA SECOSAN

The 1960s were an important period in the creation of indepen-
dent nation-states in Africa. After a century of colonization
or, in some cases even more, the European powers withdrew
from the continent, offering the people there the opportunity to gov-
ern themselves and create their own nation-states. France was the
major colonial power in northern and sub-Saharan Africa, holding
on to approximately twenty colonies throughout the region. North-
ern Africa, also known as the Maghreb, was the first region in Africa
to gain its independence from colonial rule. In 1956 Morocco and
Tunisia became sovereign states, and Algeria followed in 1962 after
a long and costly war of independence with France (1954-1962). The
other large concentration of French colonies in sub-Saharan Africa
became independent throughout the 1960s. Spain was the other Eu-
ropean power that held colonies in northern Africa, but by the 1960s
the great Spanish colonial empire held almost no territories on the
continent. In the second half of the 20th century, the Spanish Sahara,
known today as the Western Sahara, was one of the only entities un-
der Spanish jurisdiction above the African equator line. Today, it is

the last remaining colony in Africa. This time, however, the colonizer is not a European state but an African state, itself a former colony, the Kingdom of Morocco.

The Moroccan presence in Western Sahara is merely a continuation of the former imperial Western powers in Africa. This modern type of colonization bends the rules of international law and has the support of major powers such as the United States and France. The continued colonization of Western Sahara is evident in a brief history of the region before the arrival of the Moroccans; the meaning of the march led by King Hassan II into Western Sahara; the Moroccan strategy and motivation for sending settlers into Western Sahara; and the involvement of the Western powers and the United Nations in helping Morocco go ahead with its plan.

The Western Sahara is situated along the Atlantic coast in northwest Africa. Its small population inhabits a land area of 266,000 square kilometers. During the European rush to carve up Africa in the late nineteenth century, Spain claimed this of land and placed it under its custody. This territory was once part of a larger nomadic circle that encompassed portions of Algeria, Mauritania, Morocco, and northern Mali. Before Spain entered the region, there was no supra-tribal authority to connect the vast tribal network of the region. The Moors of the area, called *bidan,* stretched from the Noun region of contemporary southern Morocco all the way to the Senegal Valley of the Niger River. Many of these were nomadic desert herdsmen who tended flocks of camel, goats, and sheep, and who were united by a common language—a form of Arabic called 'hassania.'[1] Their basic social unit was the family. This unit was not thought of as an independent group, but rather as a part of a larger social group, the tribe.[2]

Social and ethnic ties between the people in the Western Sahara and those in nearby Morocco, Algeria, and Mauritania make it particularly difficult to differentiate between those who are and those who are not Saharawis.[3] What distinguishes the Saharan people of this area from other *bidan* is the fact that they were never under the rule of the Moroccan sultans in the North, or of the Mauritanian emirs in the South.[4] Once the Spanish conquest took place, the Saha-

rawis began to experience the burden of colonization that continues today.

The Saharawi nomads began guerilla attacks against Spain as early as 1957. These early Saharawi nationalists were unsuccessful in their endeavor but did manage to initiate the first urban anti-colonialist movement against Spain. The Organization for the Liberation of Saguia el-Hamra and Ouad ed-Dahab[5] emerged in 1967 and threatened the Spanish authorities who actively repressed the movement. El-Ouali, the son of poor nomads, surfaced as a nationalistic leader, organizing a small group of Saharawi students in the early 1970s to fight for the end of Spanish rule in Western Sahara. The Sultan of Morocco, Sidi Mohammed ben Youssef, the father of King Hassan II, who hoped that with Spain out of the way he could have his dream of "Greater Morocco" come true, backed these early efforts.[6] El-Ouali grouped his supporters in a town on the border of Western Sahara and Mauritania and from this location the Saharawis from southern Morocco, western Algeria, northern Mauritania, and Western Sahara joined forces and expressed their solidarity. In 1973 the POLISARIO was officially formed, with the goal of the full independence of Western Sahara. Since 1973, the POLISARIO has remained the only nationalist, pro-independence organization representing all Saharawis.

In 1975 Spain decided to withdraw from the Western Sahara, which was viewed as a liability to the Spanish government. Morocco, which had long-lasting claims on the territory, seized this opportunity to finally incorporate the Western Sahara as part of its area of control. King Hassan II forced the issue in November 1975 by organizing 350,000 Moroccans to march over the frontier in what was later to be recorded as "the Green March."[7] POLISARIO met the Moroccan marchers at the borders and inflicted serious casualties on them. The Spanish withdrew forty kilometers to the south in order to avoid direct confrontation and soon after they agreed to give up the territory.

The King announced the march shortly after the International Court of Justice published its advisory opinion on Western Sahara.[8] On December 13, 1974 the United Nations General Assembly passed a resolution requesting a ruling on this issue:

The International Court of Justice, without prejudice to the application of the principles embodied in General Assembly resolution 1514, to give an advisory opinion at an early date on the following questions:

1. Was Western Sahara (Saguia El-Hamra y Rio de Oro) at the time of colonization by Spain a territory belonging to no one *(terra nullius)*?

[If the answer to the first question is negative an additional question would be posed:]

2. What were the legal ties between this territory and the Kingdom of Morocco and the Mauritanian entity?[9]

The court published its advisory opinion on October 16, 1975. The ICJ "was unanimously of opinion that Western Sahara at the time of colonization by Spain was **not** a territory belonging to no one *(terra nullius)*" and it also "was of opinion, by 14 votes to 2, that there were legal ties between this territory and the Kingdom of Morocco." [10] The nature of those ties was specified later in the same document: "There were legal ties of allegiance between the Sultan of Morocco and some of the tribes living in the territory of Western Sahara."[11] However, the ICJ concluded that the materials and the information presented did not establish any tie of territorial sovereignty between the territory of Western Sahara and the Kingdom of Morocco. Thus, the court rejected Morocco's claims on Western Sahara and sustained the right of the Saharawi people to self-determination. According to these statements, Morocco was in violation of international law during the march to the Western Sahara. Furthermore, Morocco was also in violation of the Charter of the United Nations which provides "for the principle of equal rights and self-determination of peoples."[12] Consequently, the Kingdom of Morocco through King Hassan II asserted itself as the new colonial power in Western Sahara.

The motivational theory is based on the realist theory that a compound of factors predisposes a government and its people to move in a decisional direction in foreign policy. The Moroccan motivation for taking over Western Sahara should be viewed through the realist

theory, as its ultimate goal was to achieve power and obtain a dominant position in the region. The elements of the Kingdom's motivation for the move into Western Sahara were economic interests, domestic policy, population expansion, and frontier dynamics.

Western Sahara has numerous natural resources, including such as phosphates, iron ore, and other minerals. Phosphates, when occurring in large deposits, are a mineral of considerable economic value for conversion into the super-phosphate that is largely used as a fertilizing agent. King Hassan II had hoped that the sharp rise in phosphate prices in 1974 would solve the country's economic problems. But the prices fell sharply from 1975-1976 and again from 1981-1982, leaving Morocco with no means of repaying its foreign debt.[13] The early 1980s left Morocco in a macroeconomic crisis because of the economic bet it made on the resources of Western Sahara. In an attempt to exploit the resources of its colony, the Kingdom of Morocco drowned itself in fiscal deficit. Nevertheless, the economic backlash did not hamper Morocco's will to hold on to the territory of the Western Sahara. The following years proved to be more beneficial for Morocco's economy: the fiscal and current account deficits have been reduced to less than one third of their 1982 ratios; inflation, which had been close to 10 percent in the early 1980s declined to 2-3 percent in the late 1990s; and the external debt, after peaking at 130 percent in 1985, now stands at about 50 percent of the GDP.[14]

Morocco's economic interests in the Western Saharan region are part of Moroccan domestic policy. King Hassan used the takeover of the Spanish Sahara in order to distract attention from the political and socioeconomic problems in Morocco. He designated Western Sahara as a special development zone in which he invested billions of dollars. In the most important cities of El Ayoun and Smara he sponsored the construction of an international airport, a 35,000-seat stadium, an ultra-modern hotel, a hospital, a long highway, and two coastal ports.[15] In addition, the Moroccan population was given incentives to move into the Saharan territory to settle. The attractive encouragements included double wages, tax exemptions, and subsidized housing. In contrast, the Saharawis were offered low-paying administrative posi-

tions to keep them away from politics and induce them to relocate in the north. This scenario highly resembles the previous French colonial policies in North Africa: sending in settlers by seducing them with financial benefits and the comfort of an easy life while discrediting the natives and offering them second rank positions.

Moroccan population expansion is as another reason for the occupation of Western Sahara. During the Spanish colonial times, the 266,000 kilometer square area had a population of roughly 75,000 most of whom were nomads.[16] In 1975 during the Green March King Hassan sent in 350,000 settlers. In 1990 the guerilla war between POLISARIO and the Moroccan troops ended after a UN imposed ceasefire; the region had an estimated 300,000 inhabitants. In 1991, Morocco transferred another 40,000 people into the territory in violation of the UN settlement plan.[17] The Moroccan colonists were also there in violation of the Fourth Geneva Convention, which prohibits countries from transferring their civilian population onto territories seized by military force.[18] In 2000, 150,000 people were still refugees of war in camps near the Algerian town of Tindouf.[19] In 2003 the population of Western Sahara was approximated at 262,000. Such population estimates are important because of the referendum that was planned in an attempt to resolve the situation.

The plans for a referendum deciding on Western Saharan independence have been on the table since the ceasefire went into effect in 1990. A UN peacekeeping mission, MINURSO, was sent into the area to supervise the electoral process.[20] From the beginning, the voter registration process has been a contest between the two parties to register more of their supporters as potential voters.[21] The process has been overly partial and obscure. Morocco, being the militarily and diplomatically stronger of the two parties, has regularly engaged in conduct that has obstructed and compromised the fairness of the referendum process.[22] At first, the electorate was to consist of voters identified in a Spanish census in 1974. The United Nations then decided to broaden the criteria for the selection of voters by admitting members of all 88 clans of the 10ten nomadic Saharan tribes listed in the Spanish survey.[23] POLISARIO objected to this idea, considering it

to be an attempt by Morocco to fill in the electorate with descendants of tribesmen who may have migrated elsewhere but who were likely to be loyal to Rabat.

On the other hand, there was no way of knowing who might have been excluded from the electoral lists. In this type of nomadic, illiterate society, the evidence of being tied to the region and thus the eligibility to vote can only be provided by oral testimonies rather than by formal documents that might be missing or outdated. The oral testimonies can only be given by the sheikhs recognized back in 1974. Since many of them have died or are too weak to travel, the whole process has suffered from further delays. The problem of not exactly knowing who is missing from the voting lists is of particular concern since Moroccans have the incentive to exclude those Saharawis living in the Moroccan occupied territory who are likely to vote for independence.

For more than ten years the two sides have been negotiating over the cases of approximately 200,000 potential voters under the eye of the UN mission, which seems to be helpless in this situation.[24] This is the direct result of the population expansion that King Hassan II implemented with the occupation of Western Sahara. Shortly after gaining independence from France, the population growth rate in Morocco rose to 2.8 percent annually. From 1956 to 1995 Morocco's population expanded from 8.5 million to 28.3 million, so it can be argued that the demographic expansion into Western Sahara was advantageous and an expected course of action from the Moroccan government.[25] Over the thirty years that have passed since the Green March, the population has mixed through marriage and migration to the point where it is very hard to tell who came from where and who are the original Saharawis. The referendum has reached a stalemate but the situation can change at any time since both parties are still actively involved in the region.

Another motivating factor that pushed Morocco into Western Sahara is frontier dynamics. Although "brothers" under the French colonial rule and connected by Islam, Morocco and Algeria have always had a tense relationship. The much larger Algerian neighbor to the

east is a threat to the Moroccan leadership of the Maghreb region. The 1560 kilometers of common border is closed to both sides, but the battle between Rabat and Algiers takes place in the Western Sahara. Algeria is heavily backing POLISARIO and is known to be the principal supplier of money and arms for the front. The Front's guerilla troops have fought a war with Morocco over the Western Saharan territory ever since the Spanish retreat in 1975. In the eventual case that Western Saharan independence is won by POLISARIO, Algeria would gain more influence in the area. First, with Western Sahara out of Moroccan hands Algeria could use the coastal line to the Atlantic to enhance its economic relationships and increase its maritime trade. Second, knowing that most of the Saharawi refugees went into camps in the Algerian city of Tindrouf, the possible independence of Western Sahara with the aid of POLISARIO would result in a massive migration to the liberated territory of both refugees and Algerians as well. This would pose a massive threat to the Moroccan government and would increase instability in the North African region.

The Kingdom of Morocco could have never sustained its colony in Western Sahara without international help. The United States and France were the main powers to support Moroccan foreign policy in the case of Western Sahara. The U.S. has long seen the Moroccan monarchy as a key player in advancing Western interests in the region. First, Morocco was a barricade against the Communist influence in Africa in the 1960s. Second, the Kingdom has been an obstacle to radical Islamic groups and has managed to contain its fundamentalist elements to a reasonable degree.[26] After pouring such a tremendous amount of financial aid and human lives into controlling Western Sahara, the Western powers expect Morocco to do a good job of holding on to it. If Morocco lost the referendum in Western Sahara and thus lost the grip over the territory, enormous instability in the region could follow, perhaps even resulting in the overthrow of the Moroccan monarchy.[27]

Besides stability in the region, the advanced industrial states also have economic interests in the mineral rich soil of Western Sahara.

The Moroccans have just given an exploration contract in the territory to an American oil company, Kerr McGee, which has strong connections to U.S. Vice President Cheney and the Texas oil group in the Bush administration. This group includes James Baker, the UN Special Envoy in Western Sahara.[28] Baker has been the personal envoy of UN Secretary-General Kofi Annan since 1997, charged with making progress in the 1991 Settlement Plan for the Western Sahara. The Western Sahara dispute is the last African file remaining open at the UN Decolonization Committee, indicating that this territory is still viewed by the international community as a colony rather than a disputed territory.[29]

In 2001, Baker announced his first plan to resolve the stalemate: drop the idea of a U.N. sponsored referendum and replace it with a settlement providing Western Sahara with limited autonomy for an interim period while recognizing its annexation to Morocco.[30] Needless to say, this plan was refused by the POLISARIO since it did not bring into question the principle of self-determination for the Saharawis. In 2003, Baker put forth a second plan to resolve the crisis but he did not bring new variables into the calculation. The plan proposed a period of several years of autonomy for the Western Sahara under provisional Moroccan sovereignty. This period would be followed by a referendum in which the majority of the Moroccan settlers introduced since 1975 would vote alongside U.N.-authenticated Saharawis.[31] The choice of the referendum would be between integration with Morocco or independence, with the possibility of a third option, continued autonomy, being added. Again, the second Baker plan weighs in Morocco's favor.

It is clear that the realist view of power politics and the interdependency theory are still the paradigms applied by the Kingdom of Morocco and the young King Mohammed VI.[32] This concept of power means converting the available resources into making others believe what one wants them to believe.[33] Morocco is striving to make the international community look at the conflict in Western Sahara not as the struggle of the Saharawi people for self-determination and for the

end of the colonial rule, but as a maneuver by the Algerians to gain influence in the region and shift the balance of power in the geopolitics of North Africa. The Kingdom has close economic ties with the United States and the European Union, including an agreement with the EU that made Morocco the second Arab country, after Tunisia, to commit to free trade with Europe by 2010.[34] Foreign companies have engaged in significant projects in Morocco, from managing municipal infrastructure to investing in acquiring multiple telephone licenses. Morocco's interdependence with the advanced industrial countries is bringing the Kingdom influence in the international arena and advantages such as the international bias in the Western Sahara conflict.

The era of colonialism in Africa is not over. Western Sahara is the last remaining case of an African nation fighting for its right to self-determination. This right was stolen in 1975 by the Kingdom of Morocco with the intention of pursuing an advantageous position in the North African region. November 1975 marked the Moroccan Green March over its southern frontier into Western Sahara, chasing away the already feeble, former Spanish colonizers. The guerilla troops of the POLISARIO front fought the Moroccans until the U.N. negotiated ceasefire in 1990. The settlement plan included the implementation of a referendum to decide whether the Saharawis wanted independence, autonomy, or incorporation within Moroccan territory. Due to the lack of cohesiveness from the two parties and the United Nations peacekeeping mission, the process of putting the electoral lists together is still ongoing, even after fourteen years. What MINURSO lacks is the strong and sustained support of a great power, the United States in particular. But the U.S. has interests in the region and tries to influence the process in favor of Morocco, upsetting the Western Saharan Front for Liberation.

King Hassan's skillful participation in the *realpolitik* of the Middle East impressed Washington more than the Saharawi quest for independence. The nationalist movement in Western Sahara was sustained through the years by internationally unpopular figures such as Fidel Castro and Moammar Quaddafi, which had the reverse effect

of decreasing international sympathy for the Saharawi cause.[35] International interference and strong Moroccan motivating factors keep the area in sustained tension and under the powerful influence of the Moroccan colonial polices. Morocco continues the colonialist legacy in Africa and has the direct support of the advanced industrial states and the indirect approval of the United Nations, which has a difficult time remaining impartial in this conflict. §

ENDNOTES

1. Thomas M. Franck, "The Stealing of the Sahara," The American Journal of International Law Vol. 70 No. 4 (October 1976): 698.

2. In most cases the tribe extends far beyond the political frontiers of the territory.

3. Inhabitants of Western Sahara.

4. Western Sahara online, <www.wsahara.net>

5. The Arabic translation of the Spanish Frente Popular para la Liberacion de Saguia el-Hamra y de Rio de Oro, also known as the POLISARIO; <www.un.org>

6. Ronald Bailey, "King Hassan of Morocco," The Guardian, Monday 26 July 1999,

7. Named after the holy color of Islam.

8. Sahara marocain, <www.sahara-marocain.com>

9. Resolution No. 3292, <www.un.org>

10. Thirteen votes to three, International Court of Justice, <www.icj-cij.org>

11. The International Court of Justice, <www.icj-cij.org>

12. The Charter of the United Nations, Article 1, sentence 2, <www.un.org>

13. Yahia Zoubir, "Western Sahara Conflict impedes Maghreb Unity," Middle East Report No. 163, North Africa Faces the 1990s (March - April 1990): 29.

14. Kemal Dervis, "Morocco: Identity, Modernity, and Economic Progress," Foreign Policy (Summer 2000).

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16. Ronald Bailey, "King Hassan of Morocco," *The Guardian*, Monday 26 July 1999.

17. Fatemeh Ziai, "UN impasse in the Western Sahara," *Middle East Report* No. 199, Turkey: Insolvent Ideologies, Fractured State (April - June 1996) 39.

18. Ian Williams and Stephen Zunes, "Self Determination Struggle in the Western Sahara Continues to Challenge the UN," *Foreign Policy in Focus*, September 2003, <www.fpif.org>

19. Jon Henley, "Saharans see Glimmer of Hope in Young King," *The Guardian*, 3 February 2000.

20. The French « Mission Internationale des Nations Unis pour le Referendum en Sahara Occidentale » translated into the United Nations Mission for the Referendum in the Western Sahara.

21. POLISARIO and the Moroccan government.

22. Fatemeh Ziai, "UN impasse in the Western Sahara," *Middle East Report* No. 199, Turkey: Insolvent Ideologies, Fractured State (April - June 1996): 40.

23. Jon Henley, "Saharans see Glimmer of Hope in Young King," *The Guardian* 3 February 2000.

24. Ian Williams and Stephen Zunes, "Self Determination Struggle in the Western Sahara Continues to Challenge the UN," *Foreign Policy in Focus*, September 2003, <www.fpif.org>

25. Ronald Bailey, "King Hassan of Morocco," *The Guardian*, Monday 26 July 1999.

26. The terrorist attacks in Casablanca on May 19, 2003 and in Madrid on March 11, 2004 proves it wrong.

27. Ian Williams and Stephen Zunes, "Self Determination Struggle in the Western Sahara Continues to Challenge the UN," *Foreign Policy in Focus*, September 2003, <www.fpif.org>

28. Ian Williams and Stephen Zunes, "Self Determination Struggle in the Western Sahara Continues to Challenge the UN," *Foreign Policy in Focus*, September 2003, <www.fpif.org>

29. Toby Shelley, "Behind the Baker Plan for Western Sahara," *The Middle East Research and Information Project*, 1 August 2003, <http://www.merip.org/mero/mero080103.html>

30. Stephen Zunes, "UN Betrayal of Western Sahara appears Imminent," *Foreign Policy Focus*, June 2001.

31. Toby Shelley, "Behind the Baker Plan for Western Sahara," *The Middle East Research and Information Project*, 1 August 2003, <http://www.merip.org/mero/mero080103.html>

32. The son and follower to the throne of King Hassan II who died in 1999.

33. Joseph Nye, "Understanding International Conflicts," *Chapter 3: The Balance of Power*, 119.

34. Dervis Kemal, "Morocco: Identity, Modernity, and Economic Progress," *Foreign Policy*, Summer 2000.

35. William J. Durch, "Building on Sand: UN peacekeeping in the Western Sahara," *International Security* Vol. 17 No. 4 (Spring 1993): 155.

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Revolutionary Art

The Role of the Mexican Muralist Movement in Defining a Mexican Identity

DEVIN MURPHY

With the onset of the Mexican Revolution in the early 1900s, one of the most exciting art movements of the twentieth century was born. This movement, which has since been termed the Mexican Muralist Movement, was a government-sponsored program during and after the revolution designed to enhance the popularity of the government throughout the nation and glorify the events and successes of the revolution to the masses. The new regime used art to educate the illiterate population by commissioning distinguished artists such as Diego Rivera and Jose Orozco to paint murals on public buildings throughout the country. This muralist movement, which lasted several decades, corresponded accordingly with the political and social changes of the nation and succeeded in creating a cultural and national identity that the people of Mexico lacked prior to the revolution.

To fully understand and appreciate the art that was created during the muralist movement, one must understand the history of Mexico, which was often used as a focal point in Rivera and Orozco's work.

The Spanish Conquest and the events that followed, including the subjugation of indigenous populations and colonial domination by Spain and the Church, were often recurring themes in the murals painted during the movement. Though Mexico officially won independence from Spain in 1821, the country was marked by political deception, violence, and wars for nearly a century. This began a continuous struggle between the conservative elite and the liberal middle class who sought reforms in landholding rights throughout the country.[1]

The tension between the elites and the working class increased under General Porfirio Díaz, who assumed the role of dictator in 1876 and then remained a self-proclaimed President for over three decades. Under Díaz's rule the people of Mexico experienced a long period of dictatorial rule with an inequitable distribution of wealth, property, and power. Díaz's regime, which favored the upper class, allowed and supported the exploitation of the small but growing middle class.[2] By the first decade of the twentieth century, discontent of the workers and peasants within the country began to grow, and a revolution was born. Under significant pressure, Díaz resigned in 1911, marking the beginning of the Mexican Revolution.[3]

Although the revolution was violent, with a devastating human and economic cost, it enabled Mexico to implement many necessary political and social changes. The Mexican Revolution ended the harsh dictatorship of Díaz and succeeded in equalizing the imbalanced class system. Most importantly, the revolution brought Mexico into a new period of political and cultural transformation. The revolution ended in 1920 with the presidency of General Alvaro Obregón's, paving the road to the future Mexican Muralist Movement.[4]

Obregón sought to transform the highly agrarian society into a more respected modernized state. Education, which had been ignored under Diaz, became essential in the government's goal to modernize the country. Minister of Education, Jose Vasoncelos, created a new educational and cultural policy, through which art would be used to give Mexico a place in the growing modern culture at the start of the

twentieth century. This new and radical policy commissioned young, talented Mexican artists to paint murals on the walls of some of the most important public and governmental buildings in the country.[5]

Vasconcelos believed murals could play a crucial role in the process of a social and political transformation in a largely illiterate society such as Mexico. "It was the collective endeavor of mural painting as well as its accessibility to the public which made it the revolutionary art par excellence."[6] The chosen artists, who shared fairly similar principles to the newly founded government, used the public walls of some of the most prestigious buildings in Mexico to convey their own ideals. By painting huge images on the walls of buildings to which everyone had access, "the muralists instituted a monumental form of art about the (Mexican) people, for the people."[7] These murals, which were intended to educate the illiterate masses, touched on several themes: the successes of the revolution, the national history of Mexico, and the conflict and oppression the people had faced in the past, as well as future aspirations.

The year 1921 marked the official beginning of the Mexican Muralist Movement as numerous artists such as Gerardo Murillo, Roberto Monteregro, Xavier Guererro, Jorge Encisco, Jean Charlot, and Ramón Alva de la Canal were commissioned to begin painting in such important places as the chapel of San Pedro y San Pablo, the patios of the National Preparatory School, the Bolivar Amphitheatre, and the Colegio Chico. Though all these artists were important, the two muralists that dominated the movement and had the most profound impact on Mexico during this time were Diego Rivera and José Clemente Orozco.[8]

Diego Rivera, who trained as an artist at the Academy of San Carlos, did some of his most influential work for the government of Mexico in the Bolivar Amphitheatre and the Colegio Chico. Although Rivera was away from Mexico during some of the most crucial events of the revolution, the cultural influence of Europe inspired him, both intellectually and artistically, to become involved in Vasconcelos' great program. He admired the Italian Renaissance Muralists who were capable of communicating their principles and ideals to the illit-

erate masses through their art.[9] The idea of participating in a similar movement during such a crucial period in Mexico excited Rivera.

José Clemente Orozco, who also studied at the Academy of San Carlos, was in Mexico to witness firsthand the events of the revolution. Although he did not actively participate in the rebellion, seeing the revolution with his own eyes served as his motivation to get involved in the Muralist Movement in 1923. Orozco's attitude towards Mexico and the actual movement was somewhat angrier than that of Rivera. Often expressed with dark colors and allegorical scenes, Orozco's murals displayed a very pessimistic view of Mexico and the brutality of human nature.[10]

Diego Rivera painted a number of influential murals in the 1920's. A central theme throughout many of these murals focused on uneven economic development and a class-based struggle for equality between Native Americans, EuroAmericans, and mestizos.[11] As Mexico itself was in search for solutions to these problems in society, Rivera's numerous paintings demonstrated this pursuit. One of Rivera's first and most famous pieces during the Muralist Movement is entitled The Embrace.[12] This mural, painted in Mexico City in 1923, symbolized the bond between the poorer traditional Mexico and the rapidly developing new nation. In this painting Rivera depicted a traditional, native-looking Mexican embracing a more contemporary workingman. Although they are standing in a beautiful Mexican landscape, a large city looms in the background of the painting, appearing to threaten the relationship between old and contemporary Mexico.

Although his style differs from that of Rivera, José Orozco's art was also recognized and appreciated in 1920s Mexico. Orozco's work was known for touching on realistic themes of social transition, more specifically the necessity for Mexican culture to end the violence of the revolution and move on from the oppression and corruption of the past. One of his most famous pieces painted in 1926 was The Trench, which was painted in the National Preparatory School in Mexico City.[13] This very dark and powerful painting showed three dead soldiers from the revolution lying on one another in a trench. The piece by Orozco was a very emotional depiction of the revolu-

tion, which took the violence and death of the fighting and displayed it for the public to see and acknowledge.

These murals by Rivera and Orozco, though quite different in subject matter, had very similar themes. They illustrated central concerns of the society—the changing nation, changing government, and the revolution as a whole. Although the government commissioned these works to boost its popularity and 'educate' the masses, Rivera and Orozco also conveyed their own opinions about Mexico. Their images depicted the people moving forward from their dark past and into a more hopeful and optimistic future.[14]

At the end of the 1920s, Mexico was in search of a national identity in the aftermath of independence and the revolution. Presidents Calles and Elías, who served between 1924 and 1934, were still faced with various economic and social problems as Mexico tried to establish itself in the world. This post-revolutionary government wanted to show the rest of the world that Mexico was a country with a sound past, present, and a future. The objective of the muralist movement at this time was "to create a homogeneous national culture to reaffirm the superiority of its [Mexico's] chosen path."[15] The government once again commissioned artists such as Rivera and Orozco to, in a sense, "write" a history that the country could be proud of on the walls of public buildings.

Throughout the 1930s Rivera and Orozco helped create this sense of national identity for the people by painting the complex history of Mexico. Rivera was hired to paint The History of Mexico on the stairway of the National Palace in Mexico City in 1929, which is considered one of Rivera's most impressive accomplishments. The massive mural depicts Mexico's rich past, from the 'utopian' pre-Columbian world, to the Spanish conquest, to their independence from Spain in the early 19th century, and into the present day of technology and industrialization. In this mural, Rivera painted different individuals from each significant time period in Mexico's past, including Indians, Spanish conquerors, representatives from the Church, revolutionaries, politicians, and even factory workers. They are all shown

interacting with one another, demonstrating how the actions of each time period affected later events.[16]

Again similar to Rivera, Orozco participated in painting a history for the people of Mexico. One of his most famous murals represented not only Mexico's history, but the America's history in general. This mural, American Civilization, painted in 1932, is a much darker view of Mexico's history than Rivera's. Orozco also painted different characters representing different periods in Mexico's violent and corrupt past. Whereas Rivera chose bright colors to portray Mexico's history as a "mythological and utopian" world, Orozco used allegorical figures and scenery to criticize society and human cruelty with dark and depressing colors.[17]

Although their styles were different, Rivera and Orozco helped establish a sense of national identity for the people of Mexico. By illustrating important events in Mexican history, including pre-Columbian society, colonialism, independence, and the revolution, both artists helped Mexico discover a deep-rooted culture that had long been forgotten even before the Diaz regime.[18] Creating a common past and heritage that the people of Mexico could identify with and be proud of was one of the greatest achievements of the muralist movement.

While Rivera and Orozco helped establish a common identity and public awareness of the historical events of Mexico, the question of the country's future loomed large. Although Mexico had succeeded in gaining independence, engaging in a revolution, and thus creating a national and historical identity, the main objective now was to find its niche in the world. During the late 1930s and early 1940s, economic reforms and modernization, rather than art, became the government's new objectives. [19] When President Miquel Aleman was elected in 1946, he implemented a number of economic reforms, causing significant increases in foreign investment over much of the remaining half of the century. Due to the economic growth and rise of literacy rates across the nation there was less demand to use art as a tool to educate the masses. Thus the Mexican Muralist Movement came to an end. [20]

The Mexican Muralist movement was one of the greatest artistic and cultural movements in the past century. Although the Mexican government's initial goal for the muralist movement was to glorify the events of the revolution and boost their popularity among the largely illiterate society, Diego Rivera and Jose Orozco succeeded in much more than that. By educating the people of Mexico about their past and heritage, they provided an identity that the common Mexican people could understand and of which they could be proud. It is uncertain if anything similar to the Mexican Muralist Movement will return, but the art and life Rivera and Orozco brought to this culture will be felt and appreciated for generations to come.

"Some day the very ideals of the Revolution, if they should be lost in the debris of political turmoil and personal ambition, may be rediscovered in his paintings. It is not too much to say that as long as his paintings are allowed to remain on the public walls so that the common people can rediscover themselves in them, the Mexican Revolution will remain safe, at least as an ideal—permanent, as a dream to be achieved."[21] §

ENDNOTES

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9. John F. Scott, *Latin American Art: Ancient to Modern* (Gainesville, Florida: University Press of Florida, 1999), 204.

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11. Mestizo refers to the tri-ethnic heritage of Mexican peoples – African, European, and indigenous or Indios.

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Where Are We and How Did We Get Here?

The Legal Situation of the Miami Five

BRIAN KRIST

The trial and subsequent imprisonment of Antonio Guerrero, Fernando Gonzalez, Gerardo Hernandez, Ramon Labanino, and Rene Gonzalez have created both an international diplomatic incident as well as an intriguing set of legal questions. Known as the Miami Five, the men have each been sentenced to long terms in some of the most severe conditions available in the U.S. federal prison system. The trial of these men, as well as the conditions they have been placed in following their convictions, has triggered an outcry among some groups in the United States, but more particularly from the Republic of Cuba. What has been declared necessary to protect the national security interests of the United States of America has been labeled as a gross miscarriage of justice by both the people and government of Cuba.

While appealing, it is entirely incorrect to take the black-or-white, right-or-wrong approach to the Miami Five situation that both sides of the issue have taken. Though it is politically beneficial for the Castro administration to decry the innocence of its agents, the five men currently imprisoned are far from the righteous warriors in the war

on terror that the Cuban government would like the world to believe. By denying that the agents were working against the national security and interests of the United States, while at the same time employing the defense of necessity, the defense offered by the five men is, "We did not do it, but if we did, it is okay."

The position of the Bush administration is equally appealing and in reality, incorrect. It is true that Antonio Guerrero, Fernando Gonzalez, Gerardo Hernandez, Ramon Labanino, and Rene Gonzalez entered into the United States under false pretenses, provided false identities and identification to federal officers, and were acting in official capacities for their home government without registering with the federal government. The mere fact that five accused men may in fact be guilty of committing crimes never justifies a deviation from the basic rights of the accused at trial and of the convicted while in custody. The current attitude taken by the U.S. government in reference to the Miami Five situation appears to be one of the ends justifying the means. No matter how guilty a man may be, he is still entitled to a presumption of innocence, a fair trial, and if convicted, a sentence commensurate with the circumstances of the case and applicable laws.

The Cuban government publicly acknowledges that it sent five government agents to the United States with the mission to infiltrate what it saw to be terrorist groups in the U.S., particularly in the Miami-Dade area of Florida. Ricardo Alcaron de Quesada, the President of the National Assembly of People's Power of the Republic of Cuba, said publicly that the mission of the Miami Five was to infiltrate terrorist groups and "inform Cuba of these groups' plans for aggression against the island."[1] The men were sent to the United States by the Cuban government and were acting as agents of the Cuban government on official business of the Republic of Cuba. The men were sent clandestinely into the United States, under the cover of false identity documentation, and told to gather information.

After the five men began work in their mission on June 17, 1998, Cuban officials provided agents from the Federal Bureau of Investigation a comprehensive dossier of information about exile terrorists and

their activities with the hope that it would be used to prosecute these criminals and prevent future acts of violence. The Cubans, hoping that the U.S. would then prosecute the leaders of the organizations, acknowledged that they had agents who had infiltrated the organizations themselves. Ironically, however, the dossier presented was instead used in the government's case against the five agents that gathered the information in the dossier.[2] Each of the men were charged with conspiracy to commit espionage, conspiracy to commit crimes against the United States, use of false identity and documentation, and being unregistered agents of a foreign government. Gerardo Hernandez was additionally charged with conspiring to commit first-degree murder in the Brothers to the Rescue incident, due to his involvement in collecting information from that group.[3]

At trial, the defense argued that the men were sent to the United States to gather information about anti-Castro organizations in Miami, specifically the Cuban-American National Foundation, Cuban Freedom Council, Brothers to the Rescue, the Democracy Movement, and Alpha 66, all powerful groups in the Cuban exile community, but never a government entity. Arguing that the mission of the five men had absolutely nothing to do with American governmental interests and did not involve the observation of U.S. government activities, the defense pleaded to the jury that the men were not engaged in espionage as defined in federal statutes because they were not gathering information about the government, merely about private organizations. As for the charges of using false identities and documents and failing to register as foreign agents upon arrival in the U.S., the five argued that their actions were justified using a legal defense known as a state of necessity. The necessity defense is a form of justification, saying that while the acts committed may be facially illegal they are permissible when:

> necessary as an emergency measure to avoid an imminent public
> of [sic] private injury which is about to occur by reason of a situation occasioned or developed through no fault of the actor, and
> which is of such gravity that, according to ordinary standards of
> intelligence and morality, the desirability and urgency of avoid-

ing such injury clearly outweigh the desirability of avoiding the injury sought to be prevented by the statute defining the offense in issue.[4]

The defense argued that because of the inter-relationship between the government in Florida and the Cuban exile community, and the grave situation Cuba was in because of threats from terrorist organizations in Miami, the five could not use their true identities or make their true intentions known. If they did, the defense said, their mission would be impossible. Government officers would simply tip off the movements and their efforts to infiltrate them would be futile and possibly dangerous.[5] The defense used the same argument of necessity to explain their information gathering as well.

In the matter of *United States v. Gerardo Hernandez, et al.*, the jury returned verdicts of guilty on all counts for all five defendants and in December 2001, the five men were sentenced to the following:

Gerardo Hernandez: Two life sentences *plus fifteen years.*
Ramon Labanino: Life imprisonment *plus eighteen years.*
Antonio Guerrero: Life imprisonment *plus ten years.*
Fernando Gonzalez: Nineteen years.
Rene Gonzalez: Fifteen years.[6]

The five were separated and imprisoned in five different federal prisons scattered across the country. The men were kept in isolation from the general population and the relatives of the men were initially refused visas to come visit them in prison. Though the treatment of the five, regarded as heroes in Cuba infuriated the Cuban government, little was done by the Americans to assuage the objections raised by the five imprisoned men. While numerous protests were filed with the U.S. Interests Section in Havana, the Interests Section remained unwilling to permit the relatives of the men to enter the United States. This was described as inhuman treatment, as a high-ranking government official called the United States a hypocrite on the issue of human rights when the U.S. chastised Cuba on its treatment of prisoners.[7]

The men and their supporters both in Cuba and the United States have since argued vigorously against the trial and post-conviction treatment of the five men. Numerous websites have been created, and an appeal has been filed with the hopes of securing the eventual release of the five men. Putting aside the question of whether the men are actually guilty of the charges as alleged, there were several legal arguments put forth by the defense both at trial and on appeal that deserve to be examined.

The defense's argument that it was improperly hindered by the prosecution's failure to turn over documents is a complicated issue. At trial and in appeal the defense argued that the U.S. Attorney's Office hampered the efforts of the defense attorneys by delaying to turn over what the defense felt were pertinent documents, or by failing to do so entirely. According to accounts of the trial, defense attorneys were allowed to review only a fifth of the documentation used at trial, as the government asserted that it was not required to turn over the remainder because they were regarded as national security secrets.[8] It is claimed that the government's failure to turn over the complete set of uncensored documents was part of a conspiracy to rig the trial against the defendants.

While rules of trial procedure are intentionally written in favor of defendants in the United States, prosecutors in every jurisdiction are trained to work within the boundaries of their respective procedural regulations to turn over as little as they can get away with and often employ tactics which may sound strange. For example, in Brooklyn, case screeners at the King's County District Attorney's Office are prohibited from taking any handwritten notes during interviews of police officers and civilian witnesses in cases. Because any such notes would have to be turned over to the defense in accordance with section 240.45 of the New York State Criminal Procedure Law and the New York State Court of Appeals decision in *People v. Rosario*, screeners are trained to exercise extreme caution to avoid generating any material that would have to be turned over that is not essential to processing cases.[9]

Prosecutors will often turn over as little as possible, and in New

York, if the defense believes the People have something that they have to turn over, they can file a *Rosario* motion and ask the trial judge to order the production of such documents. While the terms may be a little different, the rules are essentially the same and federal prosecutors employ the same tactics. In the case of the Miami Five, the defense did file the federal equivalent of *Rosario* motions and the trial judge agreed with the U.S. Attorney and denied the motions.[10] Unless judicial error is found during appeal, the U.S. Attorney and the trial judge acted in accordance with federal rules of trial procedure.

Assuming, *arguendo*, that the assertions made by Fidel Castro and the Cuban government about ties between the anti-Castro movement in Florida and the U.S. intelligence services are true, the Miami Five are guilty of conspiring to commit espionage and crimes against the United States. If the anti-Castro organizations in Miami are in fact acting with the approval and support of the Central and Defense Intelligence Agencies, then those groups, related to their work to destabilize the current regime in Havana, are acting as de facto agents of the United States of America. As such, the claim put forth by the defense that the men were gathering information on private non-governmental citizens rather than government entities would be completely contradicted.

The mere fact that members of those groups are private citizens is irrelevant; legally, members of anti-Castro groups would be in the same category as police informants. When acting on behalf of a government agency it has been held in American common law for the entire history of the American criminal justice system that private citizens can be regarded as agents of the government. Just as de facto agents are required to respect the constitutional rights of suspects in police investigations to the same degree as uniformed police officers, these agents are offered the same protections guaranteed to uniformed officers while acting in their government-sponsored roles.

For example, a suspect in a purse-snatching is brought into the 66th Precinct station house in Brooklyn, New York. After being read his rights by the arresting officer, as required by the Supreme Court's decision in *Miranda*, the suspect refuses to answer questions and de-

mands that the interrogation stop until he can consult an attorney.[11] Following procedure, the officer leaves the interrogation room and waits for the suspect's attorney to arrive. If the officer then asks a maintenance man to go in the interrogation room and ask the suspect about the purse-snatching, that maintenance man is now a de facto agent of the New York City Police Department. The fact that the maintenance man's profession may be pushing a broom instead of carrying a badge and gun is immaterial; at that moment, he is acting in a law enforcement role at the behest of a police officer. If the maintenance man asks the suspect if he stole the purse and the suspect confesses, the statement is guaranteed to be ruled inadmissible at trial because the police violated the suspect's rights.

Just as the maintenance man in the 66th Precinct was acting as an agent of the NYPD, if what the Castro regime says is true, the anti-Castro movement in Florida is acting as an agent of the United States government. Despite the fact that dissident Cubans in these groups may not be directly employed as official agents of the intelligence services, if their alleged terrorist activities are conducted at the behest of the United States, then they are acting as agents of the United States. As such, they would be bound by the same regulations governing their conduct, they would be held to the same standards as official government employees in the courts, and their actions would be offered the same protections in federal and local statutes.[12]

It has been alleged that several groups have been created at the behest of federal intelligence agencies or have been the recipients of federal financial and logistical support. It is alleged that the Representaction Cubana en el Exilio (Cuban Delegation in Exile) was created upon the direct orders of the CIA.[13] Freedom House and Of Human Rights have been suggested to have heavy ties to the CIA through Frank Calzon, a former special agent of the CIA. Calzon is alleged to have received huge sums from the National Endowment for Democracy and the United States Agency for International Development and use those funds to support anti-Castro activities. Calzon also served as the leader of two anti-Castro organizations, Abdala and the Frente de Liberacion Nacional de Cuba (National Liberation Front of

Cuba).[14] The leaders of the Platforma Democratica Cubana (Cuban Democratic Platform) are alleged to have all been members of, or very close to, the CIA.[15]

This presents the Miami Five with a very large legal problem for their defense strategy. While they claim that they were acting out of necessity, attempting to protect the Republic of Cuba from private terrorist organizations operating from Florida, and cite several specific organizations as examples, the Cuban government also maintains that several of these organizations were either created or directly supported by the U.S. government. If, as Cuba alleges, the Cuban-American National Foundation, Cuban Freedom Council, et cetera, are the proxies of the CIA, then members of those groups are acting as de facto government agents. As such, those organizations were working at the behest of the federal government, were being compensated for their work by the federal government, and in some cases being trained for such activities by the intelligence services. If that is the case, the defense that the Miami Five were merely infiltrating ordinary civilian groups is incorrect.

It also completely destroys the option of the State of Necessity defense, no matter what the defense counsel argues to the courts. While on paper, U.S. support of terrorist organizations focused on the destruction of the socialist movement in Cuba would support the basic theory behind a necessity defense, the same facts that bolster the theory of necessity would also be its downfall. Spy networks are created by every nation on the globe to gather pertinent information about fellow nations with the objective of national defense and security. In the history of the world, spy networks have not only been beneficial to governments, they have been essential. In the truest sense of the word, it could be argued that an effective intelligence-gathering program is a matter of necessity for national security.

However, it is also a matter of necessity for nations to be able to repel the spies of foreign nations so that they may protect those secrets that allow nations to survive and triumph. If the Necessity Defense was held to be valid as a defense against espionage charges, it would be impossible to deal with foreign agents in the criminal justice

system. Using the Cold War as an example, if the theory put forth by the Miami Five's attorneys were carried to its logical conclusion, a KGB agent found reading classified documents about intercontinental ballistic missile targeting in the Pentagon could have asserted the necessity defense and be acquitted of espionage charges at trial. While the KGB and the Soviet Union could have certainly argued that having spies in the Pentagon was an essential tool in protecting the Soviet Union from the United States, it is sheer lunacy to allow such a defense to be available at trial in such circumstances. Such a tactic stands accepted theories of criminal justice and foreign policy on their heads. While a group such as Alpha 66 is different than the KGB, under the Cuban theory that Alpha 66 is a proxy, they are the same.

Evidence supporting the belief that the five intended to spy on government-sponsored agents can be found from the words of the men themselves. In his address to the court during his sentencing hearing, Fernando Gonzalez said the following:

The activities of the Cuban-American terrorist and paramilitary groups based in South Florida have been used as instruments of this country's foreign policy towards Cuba through their direct organization by U.S. government agencies, the support given by these agencies to the extremist groups that perpetrate the acts, or by simply allowing them without real prosecution or with benevolent treatment when someone has actually been arrested. The terrorist groups of the Miami Cuban ultra-right wing were created, trained and financed by the CIA.[16]

What better evidence could the prosecution ask for in attempting to show to the court the intent of the five men than the very words of the men themselves? Gonzalez's own statement during sentencing shows that it was the intention of the men to gather information about U.S. sponsored organizations and activities and that those activities were designed to further the official and public positions of the American government. Gonzalez's statement casts a dark shadow over the claim of the five that they were innocently infiltrating civilian terrorist organizations and that their activities had nothing to do with interfering with the goals and actions of the U.S. government. Their argument that they did not commit espionage, but if they did, they

did out of necessity, can simply be boiled down to: "I did not do it, but if I did, it is okay." That is rarely accepted in the criminal justice system and this case is not one of the rare instances where it should be accepted.

As for the charges of using false identities and documentation and failing to register as foreign agents, again, allowing the necessity defense to be used stands foreign policy and national sovereignty on their heads. As a sovereign nation the United States of America has an absolute right to maintain border security, to open and close its borders at will, know the true identity of anyone attempting to cross borders into the United States, and know the purpose of such entries. The United States, in asserting such rights, is no different than the Republic of Cuba, which if it did not feel border security was an essential element of sovereignty, would not go to the time and expense of maintaining a diligent customs force at the airport or security around the U.S. Naval Base at Guantanamo Bay.[17] The supposed necessity of using false documents, lying to federal border agents, and failing to declare their true reasons for being in the United States is clearly outweighed by the right of a sovereign nation to enforce its borders. The fact that the Miami Five knew what they were doing and expressed a reason for doing so shows consciousness of guilt of the offenses charged, not a valid defense thereto. If every clandestine foreign agent were allowed to assert necessity when captured, how then could a nation deal with foreign intelligence incursions?

Further, the argument that a state of necessity existed in using false identities, that the local federal authorities were so interwoven with the anti-Castro movement that providing honest information to U.S. Customs would blow their cover, flies in the face of the defense's argument against the espionage charges. When the defense looks at the espionage charges, the government and the organizations are separate and independent of each other, but when it comes to the other charges the government and anti-Castro groups are linked. The situation on the ground in Florida cannot be both at the same time. Either the anti-Castro groups are linked to the government or they are not, but the argument put forth by the defense runs in circles.

But looking at the alternative answer to supposed government and anti-Castro group ties that the previously described groups have been acting independent from governmental support for the past four and a half decades, forty-five years of Cuban foreign policy has just been exposed as a complete and utter mistruth. If those organizations have been acting solely as private entities, while the five Cuban agents would not be guilty of espionage, the Cuban government would be revealed to be a liar on the world stage. Though the five men would have a perfect defense from the most serious charges put forth against them, the public loss of face for the Castro regime would surely outweigh any gains from having the prison terms of the Miami Five reduced.

This leaves the Castro regime and the Miami Five in particular in a catch-22 situation. Either the five defendants have no defense at trial for the espionage and related charges or they have a perfect defense for the espionage charges and the government they serve has been lying to the world for a generation. Neither option is politically beneficial to the current government in Cuba and both options would be bitter pills to swallow in front of the world stage. While the Cuban government could allow its five agents to stay in federal prison and seek alternative methods of release that are more common in the world of international espionage, such as prisoner exchange, it has already invested too much political stock in the issue to abandon the current track. After firing up the Cuban people on the issue, Castro cannot afford to look as though he is yielding to American might and abandoning five men who have been granted the title of Honorary Heroes of the Republic of Cuba.[18] But the alternative option of allowing the regime to be declared a liar by the current American administration would be far worse.

The Cuban government has simply invested too much at home to take its bat and ball and go home, abandoning its heroes to the mercies of the Imperialist Empire to the North. After years of building the men into heroes and defenders of the homeland, the Miami Five have been built into the cult of anti-American independence that has always been the cornerstone of the Castro regime. The fear of American influence in Cuban affairs has been built to such a degree that

any sense of giving in would be received horribly in Cuba, especially in Castro's political base in the provinces. While Havana has numerous billboards decrying the imprisonment of the five, the provinces outside of Havana in the countryside and mountainous regions have been stirred up into an even more radical support of the men. Just as Elian Gonzalez was held up to the Cuban people as yet another example of America pushing little Cuba around, the Miami Five have been conscripted into the ranks of Cuban Davids battling the American Goliath. Right or wrong, there is simply too much at stake politically for the Cuban government to back down.

The only issue in the handling of the criminal cases of the Miami Five that presents a genuine problem in how the trial proceeded was the handling of the defense's request for a change of venue.[19] The denial of the defense's motion for change of venue presents the main problem offered to the appellate court and holds the best hope for a new trial for the five Cuban agents. While a change of venue is an extreme remedy in the problems that can arise with the American system of public trial by jury, it can be a necessary one, and in the case of the Miami Five it is likely that the trial judge did commit reversible error in denying the defense's request for a change of venue.

A motion requesting a change of venue in a federal criminal case is a request put to the trial court by the defense arguing that, for specific reasons, the local population from which a jury would be selected is so tainted against the defense that it would be impossible to find twelve citizens who could impartially decide the case, as is required by law. Ordinarily a jury pool is selected by randomly summoning citizens of the area in which the alleged crime has taken place and holding a process known in trial as *voire dire* (translated to mean "to see to say") during which those citizens called to jury duty are questioned. Out of the number of people called, the jury pool is culled down to twelve jurors and whatever number of alternates the applicable procedure laws call for. Because the Sixth Amendment guarantees the right to an impartial jury in a federal case, jury selection is a crucial step in the criminal trial process to both sides in a case.[20] While nothing prevents a defendant from waiving his or her

right to a trial by jury, and instead choosing a bench trial, no one can force a defendant to waive that right. *Voire dire* is designed to weed out those citizens who cannot provide the impartiality the system needs to work as designed.

Ordinarily, *voire dire* is sufficient to provide such a jury. While publicity can be limited only so much due to freedom of the press, *voire dire* can usually be designed to accommodate problems, such as increasing the number of people called. In cases such as the O.J. Simpson trial, the trial was not moved from Los Angeles, but a much larger number of potential jurors were called then usual, due to the defendant's celebrity status and the press coverage given to the alleged double-murder with which he was charged.

If it can be established by the defense that pre-trial publicity or obvious community prejudice have so tainted the community that no matter how intensive *voire dire* was that it would either be impossible or grossly impractical to find an impartial jury, the defense can request that a trial be moved to another community that has not been tainted by the factors described above. Because the defendant's right to a jury trial is absolute, the system must yield to ensure that an impartial jury can be found. If it means transferring a case from Miami to Idaho, then that is what must be done. Failure to do so can be found to be reversible error on appeal and a new trial can be ordered.

In the case of the Miami Five, the defense has argued on appeal that:

> trying to hold a trial for five admitted Cuban agents on charges of espionage and murder conspiracy as well as other related overt acts and charges concerning the defendants' infiltration of Miami Cuban exile organizations in order to expose illegal anti-Castro activities and terrorism against Cuba was directed to such a politically-charged core concern of the predominantly Cuban exile community in Miami that the impediments to jury impartiality were un-resolvable absent a change of venue or in-tra-district transfer away from Miami.[21]

Essentially, given the massive amount of anti-Castro sentiment in the Miami-Dade area, the defense argued at trial that trying to find an

impartial jury would be a joke. Because of that, the defense said having a trial in Miami was hopeless and asked the trial judge to move the case out of the Southern District of Florida, or at the very least, to move the case out of Miami itself. However, the trial judge disagreed and jury selection was allowed to continue; as a result of that ruling, the defense filed an appeal to the Eleventh Circuit.

In attacking the decision to leave the trial in Miami, the defense on appeal took a nine-prong approach to the issue of jury pool prejudice, arguing that the following all showed a need for the trial to be held outside of the Miami-Dade area:

> the relationship of the defendants to a hostile environment, the intensity of prejudice directed at the defendants, the perception of the defendant by the jury, weight of pervasive community prejudice vs. pretrial publicity, proximity in time, the pervasiveness of the community prejudice, relation to legal norms and procedures, the consequences of decision resulting from community prejudice, and the role of the United States Attorney in the situation causing the need for change of venue.[22]

Looking at the totality of the situation, the defense argued that the trial judge improperly disregarded all of the above factors in summarily refusing to order a change of venue or intra-district transfer of the case out of Miami-Dade County.

One of the key parts to the defense's argument was a report given by a noted sociologist and leading expert on the Cuban exile community in Miami, Dr. Lisandro Perez. Dr. Perez, in an affidavit incorporated into the appellant's brief, argued that "the possibility of selecting twelve citizens of Miami-Dade County who can be impartial in a case involving acknowledged agents of the Cuban government is virtually zero." Dr. Perez felt given the size of the Cuban exile community, its influence outside of the Cuban exile community, and its intolerance to views that do not conform to the predominant 'exile' ideology of an uncompromising hostility towards the Cuban government, the *voire dire* process represented an exercise in futility. Given other factors such as the massive press coverage and open hostility

created by the Brothers to the Rescue incident (in which Gerardo Hernandez was charged as part of the indictment) and the Elian Gonzalez situation, Dr. Perez did not believe that the Miami-Dade area would be capable of providing a jury that could weigh the facts of the case without allowing their personal passions and prejudices to interfere with their sworn role as jurors.[23]

This is not solely because of any overt desire to make an example of the first Cuban agent the jurors could get their hands on, but because the people of Miami are human and no matter what admonition a judge could give, people can only be expected to put so much in their pockets when called upon to make a very serious decision. Human beings, as a species, are an emotional species and those emotions can take over in certain situations. Given the exile culture in Miami, the virulent hatred of the socialist regime in Cuba, and the mission of the five agents, it is ridiculous indeed that the trial judge felt that a truly impartial jury could be found. In this case, local citizens were charged with deciding the fate of five foreign agents accused of coming to the United States illegally and infiltrating civilian groups within the community for the purpose of promoting the health and prosperity of the very system people in Miami are bred to hate from birth.

As such, the trial judge should have ordered a change of venue as moved, or at the very least, the alternative option of intra-district transfer. Basically, the judge should have looked anywhere except Miami to try and find jurors to hear the case of the Miami Five. Even if the court could find twelve people who could honestly tell the court that they could put their passions aside, the court should have erred on the side of caution in protecting the rights of the accused. While a change of venue can be regarded as a slap in the face to a community, saying that it is essentially incompetent to perform one of the essential duties of citizenship, the trial judge should have had enough respect for the community to not ask such a monumental thing from the people of Miami. Even if Dr. Perez was wrong and twelve honestly impartial people could be found in Miami, the pressure that would be placed on them by their fellow citizens was such, as expressed in Dr. Perez's affidavit, that the court was placing too heavy a burden on

those people when it would have been much easier to simply move the case.

While those passions can be helpful to a prosecutor, in the criminal justice system prosecutors must also be cognizant of the appearance of impropriety as much as actual impropriety. In a society as open and as skeptical as America is, prosecutors in high-profile cases have to handle cases in a manner that is above reproach, and in this instance this did not occur. If the case had been moved to a neutral locale and convictions secured, the backbone of the appeal would not have existed. Any convictions would have had a cleaner, more honest appearance and a successful appeal would be harder to achieve. Convictions are not worth the paper that they are recorded on if they have the potential to be overturned on appeal and in this case that fact seems to have slipped the minds of the prosecution.

The appeal is still pending and a decision from the Eleventh Circuit has not yet been forthcoming. However, given the amount of hostility shown towards the Cuban government and the nature of the offenses charged, it is probable that the five will win a new trial on appeal. Given the facts presented by the defense and the almost cavalier approach taken by the trial judge in summarily refusing to grant the motions, an appeals court is likely to find reversible error in the case. While the final outcome may not be different, the fact that a higher court might order a "do-over" is not unlikely. In the criminal justice system, the ends never justify the means.

Antonio Guerrero, Fernando Gonzalez, Gerardo Hernandez, Ramon Labanino, and Rene Gonzalez deserve new trials. The mere fact that they were tried in Miami casts a shadow over the entire trial procedure and any shred of legitimacy in the verdicts is destroyed by the fact that five agents of the Republic of Cuba were tried in the very city that gave birth to the men who fought at the Bay of Pigs. Even if the verdicts were reached based upon sober and impartial examinations of the facts presented, the appearance of partiality in this case is so large as to outweigh any other factor in the entire situation. Only

by remedying that problem with a change of venue can a verdict of either guilt or innocence be accepted as justice. But the current verdict handed down by a Miami jury cannot stand.

That being said, following a new trial, with the possible exception of the conspiracy to commit murder count charged against Gerardo Hernandez, the five should be convicted again. While the link between Gerardo Hernandez and the Brothers to the Rescue incident appears to be flimsy, as for the other charges the facts as presented both by the Cuban government and by the five themselves support conviction. The Miami Five, while claiming they were merely collecting information against civilian terrorist organizations, believed they were infiltrating groups sponsored by, and acting on behalf of, the United States of America. Further, those groups, again based upon the facts as presented by the Cubans themselves for the past four and a half decades, have been carrying out the foreign policy goals of the United States. As such, those groups were acting as de facto agents of the government and the information collected by the five about those groups and their intentions would be used to foil government-approved and sponsored missions.

The situation that Antonio Guerrero, Fernando Gonzalez, Gerardo Hernandez, Ramon Labanino, and Rene Gonzalez are in is both complex and perilous. Unfortunately, putting aside any of the legal questions involved in the criminal prosecution, the entire matter has been thrust into the middle of one of the most hostile relationships in the New World. Both sides have placed a great deal of political stock in the issue, with an extremely powerful exile community in Florida demanding harsh punishment, and a small nation ninety miles away demanding the return of their heroes. Both cannot be satisfied simultaneously and the opposing sides on the shores of the Florida Straits have turned an espionage case into yet another point of conflict in 20th century relations between the United States of American and the Republic of Cuba. While both sides are partially wrong, neither will admit it because neither side can afford to. §

ENDNOTES

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3. Grupo Excelencias, The Incredible Story of Five Men Imprisoned in the United States Who are Fighting Against Terrorism, (La Habana, Grupo Excelencias, n.d.) 8. See also 18 U.S.C. 371, 18 U.S.C. 794, 18 U.S.C. 1117, 18 U.S.C. 1546, 18 U.S.C. 1542, 18 U.S.C. 1028.

4. PL 35.05(2)

5. Grupo Excelencias The Incredible Story of Five Men Imprisoned in the United States Who are Fighting Against Terrorism (La Habana, Grupo Excelencias, n.d.) 8.

6. Grupo Excelencias The Incredible Story of Five Men Imprisoned in the United States Who are Fighting Against Terrorism (La Habana, Grupo Excelencias, n.d.) 9-10

7. Julio Espinosa, General Coordinator, Foreign Affairs Commission, National Assembly of People's Power, briefing to the 2004 Washington College Summer Session in Cuba, 19 May 2004.

8. Grupo Excelencias The Incredible Story of Five Men Imprisoned in the United States Who are Fighting Against Terrorism (La Habana, Grupo Excelencias, n.d.) 4

9. Assistant District Attorney Diana Novak, training session for 2004 summer interns in the Early Case Assessment Bureau, 3 June 2004. See also Office of the District Attorney, King's County District Attorney's ECAB User Manual, September 12, 2003 ed., (Brooklyn: Office of the District Attorney, King's County, 2003) 6

10. Grupo Excelencias The Incredible Story of Five Men Imprisoned in the United States Who are Fighting Against Terrorism (La Habana, Grupo Excelencias, n.d.) 4

11. Kent County Sheriff's Office Explanation of Rights Form (Chestertown, MD: Office of the Kent County Sheriff, n.d.) 1

12. A similar situation involving a police cadet presented itself in the State of New York in 1957. The Supreme Court ruled that statements elicited by the cadet were inadmissible because the cadet, though not a police officer, was a de facto government agent. See Spano v. New York, 360 U.S. 315 (1959).

13. Hernando Calvo and Katlijn Declercq The Cuban Exile Movement: Dissidents or Mercenaries? (Melbourne: Ocean Press, 2000) 169

14. Hernando Calvo and Katlijn Declercq The Cuban Exile Movement: Dissidents or Mercenaries? (Melbourne: Ocean Press, 2000) 167

15. Hernando Calvo and Katlijn Declercq The Cuban Exile Movement: Dissidents or Mercenaries? (Melbourne: Ocean Press, 2000) 167

16. Printing Office of the Cuban Council of State With Honor, Courage and Pride: Defense Statements at the Sentencing Hearings of the Five Cuban Patriots Unjustly Condemned by a Miami Court, 2 ed. (La Habana: Oficina de Publicaciones del Consejo de Estado de la Republica de Cuba, 2002) 60

17. The author writes from personal experience on this point. Officers of the Interior Ministry's Aduana de Cuba briefly questioned the author both upon entry and exit from Jose Marti Airport. It was expressed by officers of Aduana de Cuba that the author did not look like the photograph in the author's passport, and only after several questions regarding the author's identity and purpose for staying in Cuba, was the author allowed to pass. Both times presented a very tense situation for the author.

18. Printing Office of the Cuban Council of State *With Honor, Courage and Pride: Defense Statements at the Sentencing Hearings of the Five Cuban Patriots Unjustly Condemned by a Miami Court*, 2 ed. (La Habana: Oficina de Publicaciones del Consejo de Estado de la Republica de Cuba, 2002) 100

19. *See* Federal Rules of Criminal Procedure

20. U.S. Constitution, amend. 6.

21. *United States v. Hernandez, et al.*, 03-1187-B, Appellants' Brief, 4-5

22. *United States v. Hernandez, et al.*, 03-1187-B, Appellants' Brief, C-iii of 2

23. *United States v. Hernandez, et al.*, 03-1187-B, Appellants' Brief, 8-13

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Fighting for Human Rights

Turkish Civil Society's Achievement and Challenges*

YUKIKO OMAGARI

T urkey's civil society has faced serious challenges since the establishment of its Republic. Pressure from the government and a strong military have hindered the growth of civil society in the country. Though a series of reforms that lessened restrictions on human right advocates have been introduced by the government since 2001, Human Rights Watch (HRW) argued in its open letter to the European Union at a Turkish ministerial meeting on January 2003 that "[Turkish] authorities have shown little enthusiasm for legislative reform and even less for practical implementation."[1] In addition, such concerns from Turkish civil society have not been adequately heard. This research focuses on the initiative and willingness of civil society in

Turkey to improve human rights conditions by investigating the extent to which a civil society that supports human rights in Turkey grown and its potential for the future. In the process of examining this central question, the research also addresses the following subordinate questions: 1) what are Turkish civil society's major achievements; 2) what were the struggles of the past and challenges for the future; and 3) what measures will improve civil society's quest for human rights?

Various representatives from different non-governmental organizations (NGOs) dedicated to human rights, teachers from language courses for a minority language, and workers from a cultural center for minorities agreed to allow me to interview them.[2] Though many participants in the study identified positive improvements in the role of civil society based on its achievements – namely in human rights- - the extent to which they believe civil society has developed largely depends on their experiences and their perception of whether civil society or state authority initiated these positive changes. There is an ironic view of human rights improvement in Turkey among human right advocates: whole reforms are merely the government 'project.' Even though civil society has become more active, if this process is planned and controlled by the government, civil society cannot play a leading role in improving human rights in the country. Many examples of past struggles and future challenges further explain the various concerns among the participants. In the meantime, highly motivated human rights activists are determined to continue their duties.

ACHIEVEMENTS

Achievements by human rights NGOs in Turkey have strengthened a growing civil society in the country. First, organizations themselves are growing. Second, they are receiving attention from the media and the public. Third, many of their objectives have been successful. Fourth, as a result of these developments, Turkish civil society has earned recognition as an important entity from inside and outside of

the country. Finally, civil society is making progress in the most challenging category: its relationship with the central government.

The increase in membership in human rights NGOs and local branches can be identified as a major achievement. Volunteer networking by The Human Rights Foundation of Turkey (THV) is one example that illustrates this achievement. The organization was first initiated by volunteer medical experts, such as physicians, psychiatrists, psychologists, and others like social workers, who provided free medical support for survivors of torture. Their activities grew to the point that THV received funds from the United Nations Voluntary Fund for Victims of Torture, the European Commission, and the Swedish Red Cross, despite the military coup in 1980, which suppressed civil organizations.[3]

One THV social worker in Ankara talked of her efforts in establishing a solid, reliable volunteer network that maintains a close cooperation between the organization and individual volunteers who work independently outside of THV. In particular, sustaining a solid network with physicians required a strong commitment in the organization's beginning. She visited individual doctors after they gave free treatments to torture survivors in order to facilitate a smooth process to help patients. Thanks to her efforts, THV- Ankara today is made of a wide range of volunteers. She organizes regular meetings with volunteers and invites them to human rights events sponsored by the organization. Because "[t]he volunteer support for the [THV] shows . . . a sign of the willingness of those groups to cooperate for the prevention of [human rights] violations,"[4] this case shows the important presence and contribution of civil society in improving human rights in Turkey. A THV physician in Istanbul also identifies a wide network among Turkish doctors and lawyers. A convention for forensic doctors across Turkey was recently held, indicating a unity among medical experts in dealing with special treatments for torture survivors.[5] Another recent development is information sharing among professionals in Georgia, Morocco, Mexico, Romania, and Sri Lanka. He says such a network helps to improve their support for torture sur-

vivors, leading to a substantial progress in scientific research for the treatment for torture survivors. [6]

Next, the number of branches of human rights organizations is increasing. Today, the Human Rights Association (HD) has 33 local branches, the Organization of Human Rights and Solidarity for Oppressed People (MAZLUMDER) has seventeen, and THV has five. Moreover, female human rights activists are increasingly apparent. 70 percent of members of MAZLUMDER's Istanbul Branch are now women.[7] Project organizers believe that women in Turkey, unlike other parts of the Middle East, are more active in protecting their own rights. The Urfa Branch of MAZLUMDER has an especially strong presence of women, though the city is relatively small compared to other cities with branches.[8]

In addition to NGOs' organizational growth, many participants identify growing attention by the media and public to their activities. One NGO leader says Turkish journalists recently visited his office for interviews about human rights issues in general, and CNN- International came to the office for a report on the headscarf issue. He explained that the visit by CNN-International was especially notable because it was the first time the organization received attention from a large international corporation.[9]

Another also agreed that the media is now writing about human rights issues more often than in the past, when they paid little attention to the issue. The Chairperson of HD, Batman, has talked about human rights violations in the region with numerous journalists, scholars, and officers from political organizations such as the E.U.[10] These actions are significant because human rights violations allegedly committed by the state during the civil war in the southeast region between 1984 and 1999 are a highly sensitive issue. Revealing what happened requires courage since many human rights activists were killed or faced serious death threats because of their outspoken activities.[11]

Consequently, not only the media but also the general public has begun paying attention to human rights issues. This tendency was

recognized by a lawyer and human rights advocate at the Society for Legal Studies (TOHAV), Istanbul, and a media officer at the Documentation Center of THV, Ankara, who indicated the increasing frequency of use of the documentation center by university students.[12] They suggest that professors and other academic institutions are giving students assignments that require them to research human rights materials.

Most importantly, individual human right advocates' daily duties have contributed to the greater civil society in Turkey. One human rights lawyer believes in his ability to make changes when he wins cases against human rights violators.[13] According to him, it is still hard to win cases in Turkish domestic courts because the domestic laws, especially the Penal Code, and the court system are not in favor of human rights victims but violators. However, he has won some cases and was able to appeal others to the European Court of Human Rights (ECHR) in the past. After he appeals the cases to ECHR and it delivers in favor of victims, the decision by the Court becomes binding in Turkish domestic law. As such, he is encouraged about the future of Turkish civil society. Another TOHAV lawyer has also experienced court victories against the state.[14]

Moreover, publishing reports has played an important role for NGOs, since their other activities (demonstrations, meetings, fundraising, etc.) have been restricted by the state in the past. Many professionals both outside and inside of Turkey trust the report by THV, noting that the organization receives many requests from major policy makers, which include officials from the EU and embassies in Ankara.[15]

Efforts to educate the public on human rights, one of the priorities for today's human rights organizations, have also become more apparent. Besides TOHAV and the regional offices of THV, whose main duty is to offer legal support and medical care for torture survivors, almost all NGO participants have successfully carried out programs to raise awareness of human rights issues among citizens. For instance, THV has initiated training for medical professionals and lawyers in the field by using The Istanbul Protocol, The Manual on Effective

Investigation and Documentation of Torture and other Cruel, Inhuman or Degrading Treatment or Punishment, adapted by the United Nations High Commission for Human Rights in 1999, which became the main guideline in dealing with torture cases.[16] Other organizations often host human rights seminars to encourage discussion of the issue among local people in the community.

Similarly, projects carried out by the participants have promoted the image of civil society, including a social integration project for torture survivors and an investigation into the social conditions of torture survivors and their reintegration to society. Other projects investigated refugees' living conditions in Turkey. The project offered psychological help and legal assistance to the refugees, most of whom were women and children who escaped from war-torn neighbouring countries, while investigating their social problems. This work culminated in a report describing problems of this population, calling for effective solutions based on the findings. Though many difficulties were encountered in carrying out the projects, such as reaching and communicating with refugees, the project created a sense of accomplishment when residential permits were given to refugees and they were sent to the European countries they initially wished.[17]

The enduring commitment by the Turkish civil society to improve human rights has achieved recognition from domestic and international institutions. MAZLUMDER-Istanbul has received many awards based on its strong commitment to improve human rights. The awards were mainly given by political figures, including the President of Chechnya, Turkish members of Parliament, mayors, and the press.[18] Other NGOs have received many awards from international communities as well. Additionally, it is not only NGOs that have received official recognition as an effective, important part of civil society. A band, which practices in Dicle Firat Kültüre Center, Diyarbakır, was invited by the European Social Forum to play classical Kurdish music for an up-coming event to celebrate minority cultures. Culture centers like this will help to maintain minority culture such as that of the Kurds by teaching children minority languages, music, and dance.

In fighting for human rights, civil society in Turkey has experienced many cases of conflict with the state authority, which often led to bloody consequences. However, there are signs of improvement in the relationship between the authorities and civil society as identified by the participants. One activist says MAZLUMDER has been in close communication with politicians to put pressure on human rights issues. Another activist also notes that the Ten Year Human Rights Education Committee works with relevant NGOs to educate law enforcement authorities—gendarmes and other civil servants.[19]

It is this series of successful legal reforms that has given the human rights community the impression of gradual changes in governmental attitude. Many agree that their relationship with the authorities has been improving, their offices no longer raided or closely investigated by police and their daily activities no longer monitored.[20] Some also indicated that their daily activities affected government reforms to a certain extent.[21] Whatever the motivation is, legal changes have led to a growing awareness of human rights among the public who before had no idea about human rights.[22] In fact, in the nsan Hakları Danı ma Kurulu, the Prime Ministry Human Rights Advisory Committee (IHDK), human rights organizations are allowed to take part in order to give advice to the government. In addition, the government now allows activities that unite minority people. I participated in the fourth annual Kurdish festival in Diyarbakır and often observed activities of the Culture Center in the city, both of which unite Kurdish people as a group 'different' from Turkish. Such non-Turkish ethnic identity has for a long time been regarded as an opposition against Turkish nationalism.

STRUGGLES AND CHALLENGES

While many participants noted a positive influence created by civil society in improving human rights and their organizational growth, the continuing struggles of human rights defenders still cast a dark shadow over the future of civil society in Turkey. While some partici-

pants in this study acknowledged some improvements in civil society compared to the past, many continue to face various obstacles. The result is a severe, but realistic picture of the prospect for human rights in the country.

First, many participants remain dissatisfied with the attitude of the political authority toward the human rights advocates. Two physicians of THV believe that the Turkish government never had a real commitment to improve the human rights situation. One says the government's budget distribution for specific departments clearly reveals authority's reluctance. He argues that compared to the Ministry of Defense, the budgets for the Ministries for National Education, Health, and Justice are less, noting that Turkey has the third largest military after the United States and China, despite its geographical size.[23]

Another physician has recently been allowed to come back to Diyarbakır after he was exiled by the government to a remote city. In the past, he was threatened by the authorities because his medical reports identified traces of torture on his patients. He continued reporting the evidence of torture and submitting those documents to a police department. The result was a police raid on his office in Diyarbakır. "The police said 'I heard you are a member of a terrorist group, just like a patient you treated.'" He claimed these kinds of threats are still a constant reality for many doctors in Turkey, and evidence of torture has been ignored or destroyed as a result of police threats against physicians. He feared that recent government reforms, which include permission for physicians to report torture cases on medical reports, are only changes on the surface; hence the situation could still deteriorate to the harsh condition of the 1990s, when many forensic doctors were intimidated by local police officers. "The state can suppress human rights organizations anytime, if it wishes." Moreover, he stated that "state medical reports of detainees are only written on behalf of the government . . . The description is under bureaucratic influence, which is a perpetrator of torture."[24] It seems that layers of bureaucracy apply pressure on the civil society. In fact, the policeman who accused him of being a terrorist said, "if I submit this report, I will be punished by my boss." One of his colleagues also said "the

state can do anything they want by using bureaucracy," expressing his doubts about the government's real commitment. [25]

Next, many participants feel that they are excluded from human rights discussion and decision making. THV, for instance, submitted a letter to the Minister of Foreign Affairs and the Deputy Prime Minister of responsibility for Human Rights, Mr. Abdullah Gül, in 2003, claiming that the Human Rights Advisory Committee (IHDK) was not operating independently. Hence, the letter argued, it could not function as an effective body that discusses the reality of human rights.[26] As explained by one respondent, in reality the Board's decisions are based on the views of government officials, rather than civil society's.[27] Meanwhile, civil society's influence over IHDK's decisions is limited depending on the issues. For instance, the government policy on the headscarf issue and the Kurdish question, issues that recently have gathered extensive media attention, do not reflect the will of civil society and victims of human rights violations.[28]

Some claim that voices from the minority have not been heard in the decision-making process of the country. One Kurdish activist who has witnessed the murder of civilians by the state security force argued that, although there have been a series of reforms to improve Kurdish cultural rights, "ordinary Kurdish people are not directly involved in this process."[29] As such, civil society is a "very small player" in making reforms.[30] Most of the important decisions are reached behind closed doors and this is not only the case in Turkey but also in other international political organizations. He pointed out that international organizations, such as the EU, cannot always reflect civil society's will. After the 1999 Helsinki summit, when the EU accepted Turkey as an official candidate to the Union, they used the term "ill treatment" instead of "torture" in the report on Turkey in November 2002. He warned that the Union's change in attitude toward Turkey, as exemplified by the change in semantics, could undermine the real exposure of torture cases in the country.

In addition, many participants complained that ongoing trials and charges against individual activists by the state have negatively affect-

ed their daily activities. HD had the largest number of charges among the participant organizations. A volunteer student at the HD, Istanbul Branch, claimed the deputy secretary of HD herself had faced a total of 135 charges by the state.[31] Although charges against HD have decreased, it is "not as much as we expected."[32] Many charges against THV have occurred because of the state's claim that many activities, such as collecting funding and cooperating with international organizations, were not reported to and approved by the state. Although legal restrictions on civil society have been eased since Turkey passed reform packages to improve freedom of assembly and expression, the number of trials against human rights organizations and professionals who work for NGOs still remains high. In contrast, numbers of cases against human rights violators are very low and it takes a long time to punish perpetrators.[33]

Recent legal reforms failed to benefit civil society in local areas. "The government asked for ID cards from everyone who attended a certain meeting criticising the government," one activist explained.[34] This recent meeting concerned conditions in prisons. Another explained that peaceful meetings should not be observed by the authorities as a result of government reforms granting a freedom of assembly. She argued that in big cities such as Istanbul and Ankara both the state and civil society are well informed about reforms.[35] But in many cases, people in smaller cities and rural areas are not well informed about the reforms; hence, they are vulnerable to influence by local governors and their bureaucracy, who may react to NGO activities in accordance with their own understanding of past laws.

Additionally, the participants pointed out that one of the main reasons Turkish civil society is not well established is because of the strong presence of the military and its history of political influence. The strong military presence in the country has been a major obstacle in development of civil society.[36] One respondent claimed civil society was negatively affected every time the military took control of the country's politics, noting, "That legacy is still here." The strong military influence on the society remains to present days.[37] Talking

particularly about the Kurdish question, one respondent said: "the problem is the reality that soldiers' duty is to 'fight', but it is not for Kurdish civilians."[38]

Many participants questioned the effective role of the media in supporting the growth of a civil society in Turkey. A director of a project investigating the living conditions of refugees expressed her dissatisfaction with how the Turkish media reported on refugees: "They depict refugees like they are counting sheep, describing how many refugees are captured at the border today, and so on and so on," failing to address the problem as a human rights problem.[39] She said the media's ignorance about the refugee situation is one of the main reasons why she decided to undertake her project. One human rights attorney responded that the press, radio and TV in Turkey often "close their eyes" toward human rights problems in Diyarbakır, noting that important human rights issues in the city rarely appear in the national newspapers.[40] Another participant doubted the role of the media itself, saying the media in Turkey did not inspire real trust and credibility among the public and questions the effectiveness of relying on the media in cultivating a civil society fighting for human rights.[41]

Financial inadequacy has always been a problem for NGOs in Turkey. This is especially true for those whose activities involve free medical support for torture survivors. Inadequate equipment hinders the efficient identification of traces of torture on victims and the ability to report the evidences of torture.[42] In addition, economic suffering in the nation's poorest south-eastern region undermined the growth of a civil society, by contributing to illiteracy.

Female human rights activists in headscarves in particular face a biased view from the public. Such concern was expressed by a respondent who said that many people, including some human right activists, associate her headscarf with radical Islam.[43] Other woman attorneys also faced difficulties in conducting their daily duties since female lawyers in Turkey are not allowed to wear a headscarf in public. A law trainee of TOHAV, Istanbul, said "she is also fighting for her rights," while assisting human rights victims in her office everyday.[44]

Others note the lack of professionals who are committed to the improvement of human rights in Turkey, particularly forensic doctors. At least 60 patients per day need to be treated in order to satisfy the need, but 5 to 6 patients is the daily limit in reality.[45] Others doubted the role of civil society in defending human rights, saying a strong political power, such as the United States, can unilaterally protect or harm human rights according to its political interest.[46]

THE FUTURE OF CIVIL SOCIETY IN TURKEY

Most of the participants agreed that there is a long road ahead before a standard level of freedom for civil society can be achieved. This perspective is due to the strong presence of the state authority and military. Many respondents considered the recent superficial development of civil society to be the 'politicization of human rights' and believe such a trend to be rather "dangerous."[47] Some were particularly critical about the motivation in passing these vigorous reforms in a short period just to meet EU member criteria.[48] The duration of custody became shorter; access to lawyers became easier; human rights organizations were not required to ask for permission to hold their meetings as often as before; the country lifted the death penalty; the courts are reassessing cases that were found unfair by the ECHR; the government decided to abolish the State Security Court, which had been criticized by the EU; and it released prominent pro-Kurdish individuals from prison.[49] Most of these radical reforms happened in three and a half years.

One respondent further explained it was the inevitable process of globalization, not domestic reforms, that made civil society look developed. He believed the government is not an initiator of freedom in Turkish society, but is rather in control of civil society. In his opinion, civil society's destiny depends on the political situation. "If Turkey and the U.S make a deal regarding post-Iraq governance, and as a result Turkey decides to send more troops to Northern Iraq, this will trigger the Kurdish question," resulting in the high possibility that the central

government and military will restrict Kurdish human rights, such as freedom of expression and assembly. In the meantime, many human rights advocates believed that any reforms to improve human rights should be motivated by moral considerations, not political ones.[50] This illustrates the view of recent government's reforms as merely "top-down project" from the state, a money-oriented plan, and this positive process can cease anytime when the "project" expires.[51]

The President of a Kurdish language school in Turkey also had the sense that establishing Kurdish language schools was merely a government project. Although he expressed great pleasure in being able to open the language course, when I asked what difficulties there were in opening the school, he said, it was "a very long story."[52] He had been trying to teach the Kurdish language for one year before the government finally approved his application. He says "[opening the school] was not our job, it's a government's job", describing how government was involved in its establishment as a regulator.[53] He recalled that government officials came to the building and checked the door range by using a tape measure. They said the measurement of the door did not match those listed among the criteria to open a language school, rejecting his application. The government still sends officers for observation, all certificates issued by the school must be written in Turkish, and any examinations given to students must first be approved by the government. He concluded that the government's motivation was not to benefit Kurdish people. Still, he is determined to expand the number of schools teaching the Kurdish language. In the future, he wants to see Kurdish schools open in Istanbul and other major cities outside the south-eastern region, where other kinds of Kurdish languages can be taught, though he recognizes that this effort will entail many government restrictions.

SOLUTIONS

The participants in this research proposed various solutions in order to develop civil society in Turkey. In this process, they wanted to ini-

tiate the growth of civil society and called for support and changes from the authority and public. One respondent said more NGO initiatives developed by themselves, rather than government projects or recommendations by international institutions, are needed.[54] Another thought NGOs must make efforts to maintain "a good quality,"[55] that is to criticize the authorities if necessary and speak the truth for human rights victims though these actions may entail threats and restrictions from the state. She also indicated the need to reach the public regardless of its members' social, economic, and political affiliations. As a strategy, she said NGOs need to communicate closely with decision makers in the country, both to support and criticize certain policies. Yet another, pointing particularly to torture cases, hoped NGOs could take a part in providing sufficient education for law-enforcement officers—if the government does not initiate such a training - who are likely to become torturers because they simply do not know the meaning of torture or human rights.[56]

State authority and the legal system need to be democratized. One participant thought constitutional changes, such as restricting the power of the military and acknowledging a minority culture, could solve many problems, because such actions result in structural changes, not just superficial legal reforms.[57] But he said the restriction of military power needs to be motivated by the military authority itself in order to make it realistic and achievable. Another human rights advocate also believed the influence of the military has undermined the growth of Turkey's civil society and believed the solution is to raise awareness among the public about their own human rights because this will break the long-term influence and political credibility of the military authority.[58]

Another participant believed the key to developing civil society for human rights is the government's political willingness to democratize the country's politics. He strongly stated, "No democratization, no future for human rights."[59] In theory, democratization should affect its people the most. In this sense, his solution to develop civil society meets with agreement from the other participants, who call for a change in mentality among the general public, a change from the old

mentality that is not only ignorant of their own human rights and the rights of others, but also suffers from the absence of a democratic 'culture.'[60] Most of the participants, however, acknowledged such a transformation takes time because the effort needs to come from each single individual, and, after all, creating such a 'culture' is not an easy task.

CONCLUSION

There are various ways to answer the question of the extent of the growth of a civil society supporting human rights in Turkey. Most of participants agreed with legal, theoretical changes; however, some viewed these changes as initiated by the civil society itself; others believed they were simply government projects. The question also entails two arguments. One is a positive view that the recent reform package by the government is encouraging, though slowly, civil society to grow and that this development process will continue in the future. From this perspective, an EU discussion resulted in developing more concern for human rights in Turkey's civil society. On the other hand, such political motivation to improve human rights poses a serious concern for many human rights defenders, reducing all their activities and reason to exist in civil society to a part of the government's project. Furthermore, there are consistent threats among civil society that their freedom can be restricted anytime by the state depending on the political situation; their activities can be physically restricted by a strong military presence, unless they restrict its power themselves. Ignorance among the public on the issue is also a serious concern. This is why many participants called for a change in the public's mentality so that the democratic culture will grow from inside, not be imposed by the government or the international community.

What, then, is the potential for the future? It may be true that a civil society fighting for human rights in Turkey has only grown superficially and that many participants are not satisfied yet. However,

this is why they are determined to stay in their field and continue their duties. This is why they are proposing solutions to improve the situation. In other words, the past struggles and present difficulties are today's driving forces that keep human rights activists in their field, making the civil society more effective tomorrow. In this sense, Turkey's civil society has the potential to grow from itself and the ability to pass down its commitment to the next generation. §

ENDNOTES

1. Human Rights Watch to Foreign Minister of Greece George Papandreou, E.U. High representative or Common Foreign and Security Policy Javier Solana, European Commissioner for External Relations Chris Patten, Turkish Minister of Foreign Affairs Yasar Yakis, in Human Rights Watch, "Human rights agenda for the 31 January 2003 E.U. Troika - Turkey ministerial meeting," 29 January 2003, <http://www.hrw.org/press/2003/01/turky-ltr013003.htm> (22 July 2004).

2. In order to focus on activities and views from the civil society, no people were affiliated with the government, political parties, or foreign organizations in the study. For this reason, participants in the research were all Turkish whose affiliations were with organizations that were initiated in Turkey. in order to have diverse information and opinions, individual's experiences and opinions were more focused on than organizational positions. Nevertheless, institutional affiliations of the participants were the main resource in choosing participants. Though these basic topics were addressed to examine the central question, the length of time spent on each and its order depended on the flow of different discussions. When suitable, different questions were used and sometimes special topics were discussed. For instance, the Kurdish question became my focus with participants from the southeast region. In addition, I spent a great deal of time in discussion when individuals expressed emotional views and personal experiences. In short, basic questions were sometimes changed into

suitable format and order, and they were sometimes abbreviated in order to focus on original ideas that do not usually appear in the media, or reported by major NGOs.

3. Interview by author, Ankara, 31 May 2004, Ankara.

4. THV, The Human Rights Foundation of Turkey, "the Establishment Process," 2001, <http://www.tihv.org.tr/eindex.html> (13 July 2004).

5. Interview by author, Istanbul, 24 June 2004.

6. Interview by author, Istanbul, 24 June 2004.

7. Interview by author, Istanbul, 26 May 2004.

8. Interview by author, Ankara, 1 June 2004.

9. Interview by author, Istanbul, May 25, 2004.

10. Interview by author, Batman, 11 June 2004.

11. Interview by author, Batman, 11 June 2004.

12. Interview by author, Istanbul, 25 May 2004; Ankara, 31 May 2004.

13. Interview by author, Istanbul, 25 May 2004.

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SARS as the New International Fear

A Historical Analysis of Reaction to the Spanish Flu Epidemic in Bloemfontein (1918) and SARS in Asia (2003)

NICOLE ALPERT

S evere Acute Respiratory Syndrome (SARS) stood out among the illnesses feared internationally in 2003. It was deemed an illness that could target all nations of the world, inflict political and economic instability, and cause high death tolls in numerous areas. SARS fears spread as it became headline news all over the globe. International health organizations and regional research bureaus pumped out updated information on SARS around the clock, often taking the form of breaking news on BBC, CNN, and most nations' major newspapers and travel warnings. After SARS was introduced to the public as a major sickness, it was frequently discussed in the media and held the attention of the world. As the number of SARS cases declined, it was clear that SARS was going to be controlled, and the threat to international health diminished. The SARS outbreak may have been contained, but in actuality, the real threat to world stability was still present: the prejudice resulting from SARS had been disguised in incontrovertible news and academic sources. Evidently, the threat of discrimination and pre-judgment of regional SARS areas

had been overlooked by the global community. The media focused on the lack of a cure, and in doing so likened the situation to impending doom if the virus remained uncontrolled. Often, prejudice accompanies an outbreak of an illness because of information presented to the public. For instance, South Africa's experience with prejudice during the 1918 Spanish Flu epidemic parallels the popular reaction to the SARS outbreak. As history repeated itself in 2003, the public's uncertainty as to the virus' outcome combined with incorrect information to result in stereotypes and prejudice.

In examining this topic it is worthwhile to identify the colonial view towards both Africa and Asia. These two regions had been distinguished as having exotic, rich culture, beauteous land, material riches, and geographic destinations worth exploring (and exploiting). The colonial view labeled these areas as uncivilized, and the populations full of savagery and unbridled sexual fervor (in Africa's case, less so in Asia).[1] Such stereotypes of Asia and Africa still exist within the Western world today. Interestingly, journals from the pre-colonial, early exploratory periods suggest that the local people intrigued the authors, and emit an absence of stereotype. The first civil colonial contacts with the inhabitants of the "new" continent were viewed as being interesting and "study worthy." However, once illnesses struck large portions of the colonial missions, bias and stereotype seeped into the colonial view. In the immediacy of colonization, illnesses spread throughout the colonies and local tribes, as common endemic diseases of Africa turned into epidemics in foreign populations that the particular illnesses had never before struck. British Imperial troops that were indigenous to the area suffered less from endemic illness, such as malaria, than foreign or newly arrived troops.[2] Still, endemic illnesses spread through populations, equally returning devastating illnesses to one virgin population while infusing a different population with another.

Late in September 1918, news media reported the outbreak of an influenza epidemic in Spain, certain areas of Europe, and in the Rand and Cape Town colonies of South Africa. Bloemfontein, the Orange

Free State provincial capital, took notice of the outside media warnings but deemed the perceived threats in their own media's *The People* and *The Friend* as an "old friend the ordinary common or garden influenza"[3] and as "new and fashionable"[4] (a common direction for discussion) with outbreaks mild in severity. The papers took a light approach to the illness, calling the illness "fashionable," giving "no cause for concern, merely warning that the disease was highly infectious and was best prevented by remaining in the open air as much as possible"[5] (a notice early in October from the Provincial Medical Officer). It is unclear if the flu would have been less severe had more precaution been taken in the city, but trust and pride in Bloemfontein's apparent cleanliness, lack of slums, and healthy and invigorating climate bolstered the frivolous attitudes and complacency towards the nearing blow of the epidemic.

Within a few weeks, tens of thousands had died in South Africa, and Bloemfontein's careless attitude was abandoned as the supply of coffins dwindled in the face of increasing demand. By the middle of October, warnings to disperse and to avoid indoor locations were posted in official bulletins in *The Friend*, school closings were commonplace, shorter business hours were advised, and volunteers were called upon to aid those who could no longer take care of themselves. As part of the advisory, the mayor tried to forbid railroad travel by "blacks, 'lest they be flu carriers.'"[6] Antiflu mixtures were made available for the entire population of Bloemfontein, though a "wide spread black reluctance to go to the hospital or to take medicine" was observed by the white medical community, and the black/indigenous population was labeled "fatalistic and traditionally bound to obstinacy."[7] While the white medical community posed the above theories, it is actually unclear if members of the African born community were readily offered treatment, and what percentage of those actually refused.

The Spanish flu of 1918 caused significant economic losses and human casualties. The stability of Bloemfontein returned as the city gained control over the outbreak and implemented new sanitary mea-

sures. The upper class of Bloemfontein had long ignored the fringe of the city because of its low social status, but the illness exposed the economic devastation of these areas. Thus, the ignored areas, labeled "horrid," could no longer be ignored as the troubles in the fringes crept closer to the upper class Europeans' city center. The belief that Bloemfontein was clean and healthy was shattered, and the black/indigenous population and alternately the poor Dutch, remained the acting scapegoat for the city's tragedy, "unthankful for the care that was brought on to them by the European community during the epidemic."[8] The black/indigenous population was labeled as lazy, even sent to the gaols (jail) under the Master and Servants' Act, if one was slow or refused to return to domestic work, relieving whites of household tasks (in particular doing the laundry of the sick, being in close contact with the contagious, all congenial to the spread of the Flu). The overcrowded slums that were usually ignored in Bloemfontein were not wholly blamed for Bloemfontein's death toll of 1,291 but were noted by Bloemfontein's public officials and newspapers as highly contagious areas and added to the amounting obstacles in combating the epidemic.[9] In retrospect, the manner that the Flu spreads, by coughing, sneezing, being in close proximity to others, suggests that the overcrowded living conditions in the slums would have made for a perfect breeding ground for the Flu. In the slums, the white mortality rate was two to three times greater than the rest of the city.[10] The upperclass of Bloemfontein realized the poor quality of health and the additional hardship in maintaining health in their town. Eventually, the citizens would work to accelerate the health of the slums, but first, the poor and indigenous were to be blamed for the sickness although initially the flu arrived from Spain.

The media of Bloemfontein sponsored articles that labeled the poor and the black/indigenous population as the scapegoat. *The Friend* labeled the slums as "evil," the poor were mentioned as free loaders, "punishing" the rich with extra tasks in combating the illness because of the unsanitary conditions in which they lived.[11]

TABLE I.

THE SPANISH INFLUENZA EPIDEMIC IN BLOEMFONTEIN:
INCIDENCE AND MORTALITY RATES BY RACE

	Whites	Blacks	All Races
Population	14,767	16,000	30,767
Cases	c. 7,500	c. 11,000	c. 18,500
Cases/100 Population	50.8	68.75	60.13
Deaths	398	893	1,291
Deaths/100 of Population	2.7	5.59	4.2

Source: H. Phillips, "The Local State and Public Health Reform in South Africa: Bloemfontein and the Consequences of the Spanish' Flu Epidemic of 1918", Journal of South African Studies, 13, 2, (1987).

The upperclass realized that only through helping those "below" them, i.e. the poor in the slums and the black population, could they themselves maintain their standard of health. Thus a community volunteer action force came into effect. Volunteers poured in to eliminate the expansion of the poor through social projects that replaced poor whites in previously black/indigenous held jobs, and gained financial assistance from the colony budget and the private sector. The fervor was so thorough in infecting all with a spirit of helping those in need that black/indigenous citizens, seen as the bottom of the rung on the social ladder, were also included in the elimination of homelessness (although their jobs were taken away); funding for housing acts and sewer systems was also granted to Bloemfontein. The Spanish Flu was a force to be reckoned with, and in response, Bloemfontein had created massive ideological shifts, e.g. social reform, views of poverty,

Note: The above chart does not indicate how many cases/deaths were treated with antiflu mixtures, nor which population was exposed more/less often to populations with the flu (the white upperclass quarantined flu victims, able to isolate themselves from those contagious, while black workers had to return as servants to the flu victims under a government mandate, the number of incidences of coming into contact with the virus therefore increased, thus the number of cases may have increased as well).

welfare reform, and ideals for health care. The Bloemfontein town council had eventually responded to the epidemic inasmuch as their particular decade allowed, although the initial response to the epidemic was slow and dangerous.

Had the response been any more delayed, a more drastic result from the flu would have occurred. The Spanish flu did not wipe out the colony, or continue as uncontrollable, though the response to the epidemic was grossly delayed. Delayed reaction to conspicuous detail occurs in all time periods and geographical space. In the present day, numerous cases of delayed reaction to foreshadowed calamities have occurred. In fact, two years ago, the Chinese government failed to warn the Hong Kong Special Administrative Region of an unidentified, fatal illness that had struck Guangzhou, a city just north of Hong Kong Special Administrative Region (HKSAR). China, unaware of the severity, overlooked the illness that had hit Guangzhou in late November 2003. In late February of the next year, the illness was reported as serious and fatal after a man walked into a hospital in "Hanoi with high fever, dry cough, myalgia (muscle soreness) and a mild sore throat. Over the next four days he developed increasing breathing difficulties...and signs of adult respiratory distress syndrome requiring ventilator support."[12] Within months, the exact same illness spread to more than two- dozen countries and was thought, although not proven, to have affected humanity through the form of passive pickup (animal hosts), a literal consumption of the illness by indulging in animals used traditionally in the cuisine, e.g. civet cats. The illness, classified as SARS (Severe Acute Respiratory Syndrome), is a "viral respiratory illness caused by a coronavirus,[13] termed SARS-associated coronavirus (SARS-CoV),"[14] and by the end of its overwhelming course (the outbreak was contained in July of 2003) SARS had accumulated at least 8,098 positive cases and 774 fatalities.[15]

SARS and the flu are both classified as viral respiratory illnesses, and have many similarities. Both the flu and SARS have caused casualties and severe illness, spread through close person-to-person contact (in the case of SARS perhaps air born as well), and share similar symptoms: fever, headache, extreme tiredness, dry cough, sore throat,

runny, stuffy nose, and/or muscle aches. SARS usually begins with a "high fever, greater than 38.0°C (100.4°F) and involves headache, an overall feeling of discomfort, and body ache. In some cases, mild respiratory symptoms at the outset are diagnosed, and 10 percent to 20 percent of patients have diarrhea. After 2 to 7 days, SARS patients may develop a dry cough."[16] Although the symptoms and identities of the virus may be similar to the flu, SARS sparked 774 fatalities in short of a two-year term in over a dozen countries, while in America, an estimate of 36,000 people on average per year die due to complications from flu.[17]

It is questionable why SARS attracted the international spotlight among media and various health organizations while flu fatalities per year are much higher. Perhaps it was the care of the news networks to inform the people, or as certain rumors hold, to gain higher viewership. Sound reason would have it that SARS is the first severe and readily transmissible new virus to emerge in the 21st century,[18] thus "the fashionable" disease to be reported on, discussed, and researched for a cure. SARS spread rapidly along globalized air transport routes, second chains of transmission in hospital settings, and third chains among incidental exposure. Like influenza, SARS is also a viral disease and thus does not respond to antibiotics like penicillin; there is no thorough treatment as of yet that has a perceived effect (steroidal treatment is a controversial treatment as researchers debate whether steroids aid in the patients' case or not). The only available strategy to control SARS, also seen in Bloemfontein's case of the Flu, is isolation, quarantine, and the testing of individuals for fever and other "SARS like" symptoms. Perhaps the reason for SARS' popularity media wide is that the virus is hard to crack; it was difficult to find the best way to help an infected individual with such little knowledge in such a short time.

Because SARS-like symptoms are similar to those of the flu, identifying a patient with SARS is a difficult task. In addition, with an incubation period of 7-13 days, members of a population with SARS spreading through it, as in Hong Kong,[19] would not know if they were contracting the disease and/or spreading it inadvertently. Alike

to the instance of the Spanish Flu in 1918, Hong Kong eventually responded to the uncertainties of SARS through school closings and drastically shortening business hours. The Health Ministry of Hong Kong advised its citizens to invest in throwaway respiratory masks. As shops cut hours, often closing down for days at a time, the economic effect of SARS for a time brought Hong Kong's flowing economy to a faucet's dribble as the Spanish Flu epidemic had in South Africa.[20] Tourism in Hong Kong and China increasingly fell through 2003 and pushed a domino effect into other tourist destinations within Asia. Taiwan and Japan refused to allow certain aircraft carriers into port, and air ticket prices to China and Hong Kong went into their lowest, selling at R 3100 and falling over R 4000 from previous prices;[21] ticket prices were selling 40 to 50 per cent below regular prices.[22]

Members of the Hong Kong community started comparable volunteer campaigns to those in Bloemfontein to help clean up the city in hopes of stronger containment of the virus and decrease the spread. Alike to Bloemfontein in 1918, there was a neighborly, sisterhood and brotherhood spirit that brought the citizens of Hong Kong together during the trying year to help purge the virus. As well as local community efforts synonymous to the Flu of 1918, Hong Kong also gave new sanitary advisories to its society: "spitting in public places...was discouraged and citizens were warned, on pain of heavy penalty, to notify the authorities immediately of any fresh cases."[23] The failure to recognize the severity of the virus in its first stages, the sense of nationalistic, wartime feelings of sacrifice and duty to combat the illness, and the practice of containment and isolation are likenesses to the measures to stop the Spanish Flu of 1918.

However, scientific method and social trend are not the only discourses of SARS that follow the pattern of the Spanish Flu of 1918, as social effects of the illnesses also ring similar. The more humane and sociological effects are identified through media coverage, websites, and articles. The social dynamics of SARS, including stereotype, do not differ much from that of the 1918 Flu, when the media in Bloemfontein reflected the growing stereotypes that had been emerging since the colonists arrived in South Africa. Unfortunately, 85 years later in

Asia, the use of stereotype to call blame upon a group was just as active. Subsequently, people of Asian decent suffered from false judgment, just as Bloemfontein's poorer class and black/indigenous race had in 1918. In many global areas, and especially within the United States in which no fatalities resulted from SARS, attendance rates in Chinese and Asian restaurants, and in China Towns declined drastically: "Everyone is concerned about SARS. But actually it's nothing in Chinatown. Nobody is infected with SARS. And people are just afraid. That's all."[24] It was as if the contemporary climate had declared that "Asian areas" were the locales that people should avoid. [25] SARS, as the first case was found in Asia, was deemed the "Asian disease," though it had spread to Europe and the Americas with the help of plane travel. SARS posed a mystery to the medical profession, thus enabling an intensity in directing blame as populations around the world began to construct their own realities of why and what was SARS.[26] Unfortunately, leaving a population to construct their own realities often results in gross misjudgment and use of the scapegoat. Regrettably, the SARS virus was left to be questioned by the international body and such injustices such as stereotype did occur.

Asian stereotypes have existed since other cultures came into contact with Asian cultures. The first stereotypes began in the mid 1800's. Asians were seen as a physical, racial, and social pollutant (mid 19th century). During the 1860's and 1870's, they were viewed as drug using sexual deviants and as coolies in 1870's and 1880's. Thanks to an Irish writer named Arthur Henry Sarsfield, otherwise known as Sax Rohmer, stereotypes of the Asian race were fostered by the Yellow Peril, a fictional character of an evil-masterminded demon whose intent was to destroy the West. Asian men were ridiculed for their long queues (similar to the look of a pony tail), which were viewed as the ponytails worn by white women. As for Asian women, they were viewed as exotic, sensual, mysterious, and subservient. This view of hyper-femininity of Asian women originated from the view of the Asian male as weak and effeminate—making Asian women more feminine to the point of hyper-femininity. There was also a "model minority" myth that viewed Asian immigrants as "studious, hard-

working, and quiet people."[27] The view of Asians as dirty and foul also stem from the 1800s in reports of their eating habits in traditional cuisine. Such stereotypes are still present, alive in rumors such as the Chinese preference for dogs and cats.

During SARS, the media expanded upon the vehemence of the international public, issuing articles and visual/spoken media that sponsored and supported ethnic stereotype. For example, Andrew Lam writes on what he falsely deems is a common and popular Asian sentiment:

> I fear he [the Hong Kong citizen that welcomed Lam into his home] typifies the sentiment of this region, one that says, 'If this is the last tiger penis, I should own it, make a soup out of it and drink it with my friends.' His lifestyle is not only detrimental to wildlife, but with SARS threatening an encore performance, to his own health as well.[28]

Lam expresses his revulsion for China's taste for exotic animals (which is really only exotic to a foreigner), and blames their love of the cuisine for the introduction of SARS. Lam's personal sentiments are not founded in scientific theory, as no scientific evidence states that SARS originated from animal hosts: this is only one of many possible causes of the illness. In fact, the SARS virus is a human coronavirus, and coronaviruses are estimated to be responsible for 5-30% of all "common colds." [29] SARS-like viruses have been found in a broad range of animals, (there are 13 species of the virus known, not all of them infecting humans; they also affect cattle, pigs, rodents, cats, dogs and birds - especially chickens) according to a study by 14 United Nations and Chinese experts in August of 2003. However, a complete sequencing of coronavirus genomes isolated from civet cats and a raccoon dog indicated that these viruses are phylogenetically distinct from viruses recovered from humans at the locations of infection during the SARS outbreak.[30] Thus far, the international medical community is at a loss for the cause of SARS; the most credible of all theories was the animal hosts hypothesis, which Lam used to call negative attention to Chinese culture.

In addition to Lam promoting an unproven scientific theory, he explains that the Chinese population is irresponsible with their own health. It is important to note that every pocket of population in America, and around the world, engages in adding their indigenous animals to their diet. For instance, American states incorporate alligator, frog, and snakes into their diet, South Africa incorporates many herd animals and wild boar, and guinea pigs are a delicacy in the Central Andes. Arguments such as Lam's cannot hold because of the uncertainty of the cause of SARS. In further defense, America and Europe both have experience with Mad Cow Disease, and while placing further restrictions on the quality of our meat, we do not feel that we "threaten an encore performance" of Mad Cow as Lam proposes that China does by continuing in its traditional cuisine.

Many articles mimic the cultural ethnocentrism that Lam has expressed. Another such article is by Sheridan Prasso from *New Journal* reading:

> In fact, most people here simply don't believe their habits have caused SARS. Instead, many blame Americans--namely U.S. biological warfare against China. 'The Americans fly over in planes and drop [SARS] on us,' one vendor assured me. His declaration brought nods of agreement among the crowd of fellow vendors and customers.[31]

Prasso, an editor for *Business Week*, continues to discuss the likeliness that "the government seems to be encouraging the conspiracy-minded":

> All media in China are monitored, so the U.S. biological warfare theory likely enjoys the tacit approval of Beijing. It might seem puzzling that China's government officials were fired over the SARS debacle, and some in Beijing may want to deflect further blame."[32]

Prasso's article is yet another instance of a journalist "Asian bashing" by using unfounded claims to make the following point: Chinese are

dirty, rash, and irresponsible. The government never made accusations against the United States, the news media that sponsored such rumors are not cited, and the number of media that seriously posed such an argument is not documented. In addition, Prasso focuses on a population in a small group of people out of a nation of 1.3 billion. The claims are incredible, fostering rumors and perpetuating false beliefs.

While the authors do point to overcrowded living conditions in Asia not always creating the most hygienic areas to avoid sickness (a synopsis of much harsher language), no comparisons are drawn to New York City, Johannesburg, or any other non-Asian large city, which would not have any observed difference in compacted living conditions. While it is true that certain living conditions may exacerbate illness,[33] a whole region cannot be blamed for the entire emergence of flu like illnesses in the last century as author M. Clendenin articulates here: "There is some downright, unnerving research regarding the big influenza outbreaks of the last century, all of which had roots in Asia and led to the deaths of an estimated 80 million people worldwide"[34] Such articles cited blame Asia and give hearty reference to why Asia is at fault, why Asia is dirty, morally wrong, and careless. The question to be asked is not how the noted authors are allowed to write in such a format, but what the impact has on the general knowledge of China, regional Asia in general, and subsequent reactions to those of that ethnicity. The journal articles, and other articles with similar ideas, spread incorrect information, inflict blame, and validate people's stereotypes of Asia, creating an academically permissible stereotype.

The danger in Lam and Prasso's articles, as well as in Bloemfontein's *The Friend*, is that their writing enforces stereotypes with unconfirmed and biased information. The articles by Lam and Prasso represent the collective bias towards Asia, fueled by the unknown of the SARS virus. Revisiting Bloemfontein's experience with the flu, the newspaper *The Friend* proposed that the white poor and the black population had been the cause of the flu's persistence. The newspaper's reporting, the main source of the town's information, was mistakenly

taken as objective reporting. The public is likely to accept information published in journals and newspapers, even if the information is not accurate. The 2003 SARS outbreak and Bloemfontein's Flu are two instances in which the public's view of the illness can intensify stereotypes. Edward Kass fitted humanity perfectly when he stated, "The terror of the unknown is seldom better displayed than by the response of a population to the appearance of an epidemic, particularly when the epidemic strikes without apparent cause."[35] His quote notably recalls the historic public response to viral outbreaks. Continuing today, misinterpreted data has led some to believe that HIV is strictly a problem for homosexual and African populations. It is foolish to ignore the conditions favorable to the spread of illness. Some locales and demographics are at higher risks for different viruses. In addition, certain practices may increase the impact of an illness. However, we must be cautious in addressing these realities to avoid fostering stereotypes, or worse yet, confining the problem to a particular group or ethnicity. In doing so, populations are isolated, pertinent factors are overlooked, and the chances of curbing the illness are reduced. Thus, ignorance becomes a factor in the discourse of disease. §

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The Single Transferable Vote

A More Democratic Means of Electoral Selection

BETH ANNE HARTMAN

There is great variety in the types of electoral systems used in democracies around the world. The majority of democracies use some form of proportional representation (PR) to choose their elected representatives, such as the Germen system. Others prefer plurality voting, including the United Kingdom and the United States. One of the most least common variations of PR is the Single Transferable Vote (STV), in which voters rank candidates in order of preference. This electoral system is used in only a few countries across the globe, including Ireland. The Single Transferable vote is a more democratic method of conducting elections in a democracy, and implementation of STV should be considered in both the United Kingdom and the United States.

The method by which representatives are elected in a particular country is one of the most important factors to consider when comparing democratic nations. Democracy is defined as "a system of selecting policymakers and of organizing government so that policy represents and responds to the public's preferences."[1] The most democratic form of electoral system, in theory, should provide for a rep-

resentative sample of the electorate to be elected to office and foster an arena in which representatives must be held accountable to their constituents. Voting mechanisms in electoral systems differ greatly between countries. Yet, despite this diversity, democracy functions in a stable manner throughout the majority of western European nations as well as in the United States. The difference between electoral systems such as proportional representation versus plurality or majority systems seems minor; however, representation and democracy varies widely depending on the type of electoral system in place.

The United States and United Kingdom have plurality-based electoral systems. In plurality systems, a candidate only needs to win more votes than any other candidates. Electoral systems based on single member plurality districts foster a two-party system, leading to more disproportionate representation. This "winner-take-all" system makes it difficult for smaller parties to gain ground in the legislatures because they have to obtain more votes than the majority parties to achieve any representation. Plurality districts create a system in which "the largest two parties take nearly all the seats in parliament" in Britain and Congress in the United States, and thus produce disproportionate results.[2]

The United Kingdom uses the single member plurality system for the election of Members of Parliament (MPs). MPs are elected to represent a single constituency, or district. This "first-past-the-post" system in Britain creates an advantage for two major parties to dominate elections. Often the two parties are not the same across the entire country, with some smaller parties concentrated in a few districts. However it is impossible for these smaller parties to have any true voice in the legislature. This unique feature of the British political system is known as the "two-and-a-half party system," and is largely due to the fact that party loyalty is so important in British politics.[3] Party loyalty is demanded and it is only in the rarest of circumstances that a MP would vote against the party leadership's direction.[4]

This party-dictated style of governing in Britain begins at the electoral system level. Candidates align themselves nationally with a party instead of running as individual candidates on issues. The

chief executive, the prime minister, is voted on by the MPs, and thus chosen from the party with a majority of the seats in the legislature. The prime minister is then responsible for selecting a cabinet, which usually consists of members of his or her own party.[5] Party loyalty by MPs is rewarded based on the amount of time that they are in office, as the cabinet members are long-serving MPs that have risen through the party ranks over time. Localism is in fact not a large factor in Britain, as there is no residency restriction that requires MPs to live in the district that they are representing in parliament. This feature of the British system allows for MPs that are party loyalists to be guaranteed reelection by placing them in "safe" districts with consistently strong support for the party.

The electoral system of the United States is very similar to the United Kingdom. The United States also uses single member plurality districts to elect representatives to the legislature. However, the United States also uses a primary system in which candidates vie for their party's nomination and the right to run in the general election. In primary elections, constituents choose between members of the same party. The winners of the primary elections for each party then go on to compete head to head with the other party's winner for the elected position. The two-party system in the United States is somewhat different than in the United Kingdom because the same two parties are dominant through the entire country, which has been consistent since the Civil War.

Localism is more important in the United States than in Britain. Though parties still play a key role, especially in the nominating process of elections, candidates must gain local support for their issues. In the early 1900s especially, elections in the United States were extremely party-centered. Party machines and bosses chose who would run without regard to the people's opinion and would give rewards such as payoffs and kickbacks to their supporters in return for their vote for a particular candidate.[6] Party loyalty, though still important, is less critical in the present day American system. Constituents often see the willingness of representatives to vote their consciousness instead of strictly on party lines as the mark of a good legislator and are

more likely to elect and reelect a representative that is willing to work across party lines. These single member plurality districts are widely supported in the United States for the very reason that they do foster a two-party system in government, which proponents say "leads toward greater accountability and more efficient government."[7]

Proportional representation is the election system used by most Western European nations, including Ireland, with Britain and France being the only countries that choose not to use PR in some capacity.[8] In a PR system, "seats are allocated to parties within each constituency in broad proportion to the votes each receives."[9] Multimember districts are necessary for proportional representation to be carried out accurately, because a party is allotted seats based on the percentage of the vote that it receives. In a single member district, one seat cannot be divided proportionally. This leads to disproportionate representation because only the winning party gains a seat in the government.

One form of PR is the single transferable vote (STV). Used only in Ireland and Malta, it is considered one of the most democratic voting mechanisms. In using STV, "voters cast a vote by ranking as many as they wish of the candidates, regardless of party, in order of their preference."[10] The single transferable vote "favors a geographically dispersed group whose constituency is based on interest rather than residence."[11] This system is quite unique and full of intricacies, all implemented with the purpose of providing for a more representative sample of the electorate to be put into office. STV also ensures that a voter can vote his or her conscious without the fear of the vote being wasted. Since the voter ranks all of the candidates they want to support, their vote still counts for one candidate, but they are not limited to a "yes" or "no" for a single candidate.[12] For STV "to be most effective in providing representation for women and minorities on a multimember district basis" it must "provide for the election of a relatively large number of representatives," that is, at least five members per district.[13] This shows that a specific institution—the voting mechanism—does have a profound influence on the way a country is represented and governed.

Ireland uses the single transferable vote electoral system in which a candidate "must receive a number of votes equal to the quota determined by the following formula:

$$Q = (Number\ of\ valid\ votes\ /\ Number\ of\ seats\ +\ 1)\ +\ 1$$

Any candidate receiving the quota is declared elected."[14] This formula is known as the Droop quota.[15] Any votes beyond the Droop quota that a candidate receives are distributed to the second choice and so on. This continues until "a sufficient number of candidates have satisfied the quota and all the seats are filled."[16] STV encourages candidates to appeal locally to their constituents, which is especially true in Ireland. The use of STV in Ireland has also been influenced by localism, in which "candidates are found to receive more votes in that part of the constituency where they live."[17] The Single Transferable Vote impacts localism specifically in a number of ways:

> The heavy emphasis on constituency casework, faction-fighting between candidates from the same party, a focus on constituency, localist matters in election campaigns and parliamentary work, [and] 'friends and neighbors' voting, are all seen as resulting—at least in large part—from the candidate-centered preference voting of STV.[18]

Among these democratic nations a wide variety of political outcomes are evident due to the intricacies of their respective electoral systems. Democracy takes place in each system as citizens are responsible for the election of their representatives and those elected to office must be responsible to their constituents at some level if they hope to be reelected in the next election cycle. Representation in legislatures is by no means a proportionate sample of the population as a whole. In general, the groups that benefit and are overrepresented, especially in the U.S., U.K., and Ireland, are white, male, and wealthy.[19] In order for the interests and concerns of the population to be addressed by the legislature, representatives need not be a completely representative sample of the population, and it would be extremely difficult to

enforce that policy of descriptive representation. Instead, members of these legislative bodies must practice substantive representation—"representing the interests of groups" that are unlike themselves.[20] Another way for legislators to look at their duty as a representative of the people is to decide if they are "trustees" who "use their best judgment to make policy in the interests of the people," or "instructed delegates" who feel it is their responsibility to "mirror the preferences of their constituents."[21] In general, legislators must work to find a combination of the trustee and delegate models to balance the interests of the constituency with their personal knowledge and party loyalties.

One study examined the disproportionality of different electoral systems using a scale that "runs from 0 to 100, 0 representing full proportionality and 100 representing total disproportionality."[22] Among countries in the 1990s that used either a PR-list system or a PR-STV system in order to conduct elections, the average disproportionality was 3.5 for both systems. Yet among countries that use the plurality system in elections, the average disproportionality was 18.3.[23] This stark difference between countries that use a plurality system and those that use proportional representation shows that "the proportionality of election results—the degree to which parties' shares of the seats correspond to their shares of the votes—does indeed tend to be significantly greater under PR than under plurality systems."[24]

There are five main reasons that demonstrate why PR-STV is one of the most democratic and proportional electoral methods used by democracies. First, the ability for voters to rank candidates allows them to voice an opinion about more than one candidate for a single office.[25] Second, voters rank candidates, thus minimizing the role of the party.[26] These two points are directly connected in that voters choose candidates primarily based on their personal policies, not solely on their party's platform. Third, unlike PR-list systems where a vote for a party could result in the election of a candidate whose policies the voter did not support, STV allows the voter complete control over the person for whom they vote.[27] Fourth, the single transferable vote "gives voters the opportunity to express an opinion as to the direction of the party."[28] Since parties still play a role in the STV system

by voting for candidates based on policy, the parties will have a clear idea about the issues and policies that are important to voters and in theory should augment their strategy accordingly. Finally, STV takes into account the fear of the "wasted vote" on a candidate unlikely to win.[29] Because voters rank as many candidates as they want, they are assured that their vote will be transferred to another candidate in accordance with the ranking on their ballot. One idea behind this is that voters can feel free to rank a candidate who is less likely to win as their first choice and then rank a candidate more likely to win later on. If the first choice candidate was not elected, their vote would be used to elect another candidate instead of being "wasted" on the likely loser.

"Many political scientists consider STV the 'best' electoral system because it enables voters to vote for any mix of candidates they prefer, for whatever reason they prefer them," which fosters an atmosphere in which voter choice is less limited.[30] Likewise, by design the "STV is candidate-centered rather than party centered."[31] This is the case because voters rank candidates based on the candidates themselves, not solely based on the party that they are representing. Ireland's elections are extremely candidate centered as compared to the United States. This is not to say that parties do not still play some role in elections under the STV system. However, their pull is more limited as multiple candidates from a single party will run against each other in the same district. "Sincere" voting is another reason given in favor of the single transferable vote system. In Ireland, "sincere" voting is used to combat "tactical voting."[32] The argument for sincere voting is that parties are not advantaged if they try to spread out votes among their candidates. Instead, each candidate must run on his or her own merit, even in a head to head battle between candidates from the same party. In some PR-list systems, a vote for one candidate will also give support to a party, which the voter may or may not support.[33]

In 2004, a study conducted in Wales looked at the differenced in the outcome of the recent National Assembly election if the single transferable vote was used instead of the current additional member system.[34] The study, a national opinion poll conducted by Dr. Denis

Balsom, asked respondents to rank parties based on their preferences. The findings demonstrated that even though about the same number of people would have voted for the Labor party if STV were used, almost 40 percent of Labor's supporters in Northern Wales chose the Liberal Democrats as their second choice and the same number in Southern Wales supported the Plaid Cymru party as their second choice.[35] Since votes are transferred to the voter's second choice selection once the first choice has achieved the Droop quota, second choice candidates would then be elected through excess votes instead of these votes being counted in the surplus for the already elected candidate.

Use of STV in the United Kingdom and the United States would bring a more democratic electoral system to these already thriving democracies. By nature, the single member plurality district is undemocratic to a certain degree because it "tends to produce legislatures that, on the whole, do not represent the diversity of political opinion in the electorate."[36] Likewise, it is difficult for racial and ethnic minorities as well as women to even run in SMP districts, let alone win against their white, male counterparts. As Zimmerman (1994) noted, "plurality systems...favor the dominant group and often leave women and minority groups with no direct representation."[37] Since there must be more districts to accommodate only electing one representative from each constituency, district lines must be redrawn to ensure that every person's vote counts equally. The redrawing of district lines, however, "is very open to political manipulation, particularly given modern computer technology."[38] For example, in the United States, district lines were redrawn following the 2000 Census, which led to a significant partisan gerrymandering. The twelfth district of Pennsylvania encompassed almost four entire counties before the 2000 Census, but after gerrymandering, the district was redrawn so as to only encompass portions of eight districts.[39] The larger, multimember districts proposed in the STV system creates less opportunity for gerrymandering and places less emphasis on incumbency.[40]

If STV were implemented, elections would by nature be more democratic because every vote would count towards one of the voter's choices. If the first choice candidate was elected by a margin greater

than the Droop quota, any excess votes would be transferred based on second choices marked by voters. Votes would then count more democratically because they would be responsible for more candidates being elected. Proportionality increases when there are more representatives elected from each district because the way the seats are distributed is more accurately divided among the available seats. For STV to work best, constituencies must be kept relatively small because voters can chose from any number of the candidates. Gallagher also emphasizes that "STV is difficult to operate in constituencies larger than about ten seats, because the ballot paper could then contain thirty to forty names, and most voters' preferences will become meaningless after the first half-dozen or so."[41]

The use of STV could even lead to more positive campaigns because there would be more than one candidate elected in each constituency. Candidates would have the incentive to keep campaign ads positive instead of negative in the hopes that a voter would place him as a later preference if they were not chosen as the first preference. Candidates then could appeal more to the voters, stressing their individual ideas and policies. Since voters would have the opportunity to voice a preference for more than one candidate from each office, it would be beneficial for the candidates to reach out to the public more to make the issues of utmost importance instead of digging up dirt about each other.

The complexity of STV that makes it more democratic appears to be a stumbling block for many critics who cite the system as "too complex and difficult for voters to understand."[42] However, this does not appear to be an issue to the citizens of Ireland, who twice have voted to keep STV in referendums.[43] In the same way, Britain has tested STV with "'mock-ballot surveys'" as well as "focus groups," and in each case "the respondents appear to have had little difficulty in mastering it."[44]

The single transferable vote electoral system is a more democratic means of conducting elections, especially in terms of representing minorities and ensuring that each vote counts. For the reasons illustrated above, both the United Kingdom and the United States should

consider implementing STV in legislative elections, at either the local or national levels. This scenario is likely to never play out, largely because of the tradition of single member plurality districts in each of these nations, as well as their adherence to tradition. Nevertheless, this should not deter political thinkers in both of these countries from examining the possibilities of a different method of electoral selection as an option at some point in the future in order to retain their strong, democratic governments. §

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Negotiating Poland's Borders

Western Powers at Versailles

SAMUEL HERMAN

When the guns finally fell silent on November 11, 1918, the victorious allies had the difficult task of rebuilding Europe. Yet this new Europe was, in theory, to be a Europe where another war like the Great War would never occur again. Thus, as the nations convened in the Hall of Mirrors at Versailles, they set out to achieve permanent stability in Europe. Despite these lofty ideals of a future without war, trouble was already on the horizon. Britain and France, the two most dominant countries at Versailles, had greatly differing views on how the territorial boundaries of the new map of Europe should look. This difference of opinion between Britain and France was particularly evident when it came to establishing the territories of the newly reborn Poland. Britain wanted Poland to only have administration over territory that contained a majority of ethnic Poles while France wanted Poland to possess the industrial areas of Germany. Furthermore, U.S. president Woodrow Wilson insisted on the establishment of a "Polish Corridor" to the Baltic regardless of ethnic factors. This conflict of interest between the Western powers

caused Versailles to fail in its attempts to establish a western border for Poland that satisfied all the parties involved.

In 1919 at the Allied Peace Congress in Versailles Roman Dmowski, a leading member of the Polish National Committee in Paris and leader of the Polish National Democrats Party, presented the legitimacy of Polish territorial claims. The timing for his case was particularly important since Poland had just fought with Ukraine over the Galicia region and was successful in annexing that territory.[1] Furthermore, Poland's military campaign was carried out without the support and approval of the Allied powers. What the delegates at Versailles wanted, especially British Prime Minister David Lloyd George, was a justification for Polish expansion. Dmowski, regarded even by Lloyd George as an exceedingly able and cultured Pole, addressed the Congress first in fluent French and then in perfect English.[2] Dmowski began by saying, "In settling the boundaries of Poland, the principle of including within those boundaries only those territories where Poles were in a large majority must not be accepted altogether. In the West, Poland could not be satisfied with the historical boundaries of 1772."[3] Dmowski continued by outlining why certain regions in Germany, especially Upper Silesia, should be regarded as rightfully Polish. As for the eastern territorial question, Dmowski concluded that the settlement of that Polish territory should start from the date 1772, before the First Partition. The First Partition of Poland resulted in Austrian annexation of Galicia, Prussian annexation of Danzig, and Russian annexation of the northeastern portion of Byelorussia. Dmowski felt that Poland had legitimate claims to all three of these regions. The delegates representing Britain and France listened to Dmowski's case, but it would soon be apparent that Britain, France, and Poland had very different views on what territory the recently independent Poland should possess. To understand this difference of opinion it is necessary to examine British and French political ideology as well as the influence of American ideals and foreign policy toward Poland in the years after World War I.

The policy that Great Britain adopted, with regard to establishing Poland's territories, was largely dictated by Lloyd George. He wrote in his memoirs of the Peace Conference:

No one gave more trouble than the Poles. Having once upon a time been the most formidable military Power in Central Europe—when Prussia was a starveling Duchy—there were few provinces in a vast area inhabited by a variety of races that Poland could not claim as being historically her inheritance of which she had been reft [sic]. Drunk with the new wine of liberty supplied to her by the Allies, she fancied herself once more the resistless [sic] mistress of Central Europe. Self-determination did not suit her ambitions. She coveted Galicia, the Ukraine, Lithuania and parts of White Russia. A vote of the inhabitants would have emphatically repudiated her dominion. So the right of all peoples to select their nationhood was promptly thrown over by her leaders. They claimed that these various races belonged to the Poles through the conquering arm of their ancestors. Like the old Norman baron who, when he was asked for the title to his lands, unsheathed his sword, Poland flourished the sword of her warrior kings which had rusted in their tombs for centuries.[4]

Lloyd George firmly believed that Poland's historical claims in Eastern Europe no longer had any legitimacy. Europe had changed drastically since the late eighteenth century and ethnic groups that had once been minorities in the empires of Germany, Russia, and Austria-Hungary were demanding the right to govern themselves. In fact, Lloyd George considered Poland to fall in this category and he had a difficult time understanding Poland's territorial demands.[5] The British Prime Minister had one objective, which was to establish stability and form a lasting peace in Europe. The way he believed he could do this was to ensure that Poland did not absorb too many other ethnic groups.[6] Poland's ambitious claims in Eastern Europe could greatly upset his objective.

Lloyd George quickly discovered that France had a different view about what territory Poland should control and this inevitably resulted in a confrontation. When Marshal Ferdinand Foch, French commander of all the Allied armies in France during the final German offensive of 1918, presented his proposal for the new Polish frontier, Lloyd George immediately opposed it. Foch's proposal was to draw a line from Danzig to Thorn that would result in the incorporation of the whole of Eastern Prussia, which was overwhelmingly German.[7]

If Foch's proposal had been accepted it would have meant millions of Germans coming under direct Polish administration, which Lloyd George would not allow. Yet Foch's proposal disturbed Lloyd George for another reason. The territory that was being annexed by Poland was German territory. Germany was the chief opponent of the *Entente* during World War I, and Lloyd George did not want to give Germany any potential *causus belli*. He believed that the cause of World War I was the dispute between Germany and France over Alsace-Lorraine and he did not want to create similar territorial disputes anywhere in Europe.[8] More importantly, Lloyd George felt the Alsace-Lorraine dispute was a result less of the economics of the region than of the ethnicity of its inhabitants. Therefore Lloyd George was very cautious with regard to ceding German territory to Poland. On the issue of giving Poland territories that contained German minorities, Lloyd George said "I knew that a time would come when Germany would respond to the cry of its exiled people and restore them to the Fatherland by force of arms."[9] Lloyd George did not want to provide the environment for an Alsace-Lorraine in East Europe.

Despite his policies, Lloyd George was not entirely anti-Polish. At the Peace Conference he made it known that, because the Allies were responsible for the creation of these new states, they were also responsible for their defense.[10] However, Lloyd George made a clear distinction between wars of defense and offense by these new states. Lloyd George saw Poland's conduct in the war of 1919-1920 with the Soviet Union as aggressive and, therefore, not requiring British support. Furthermore, Lloyd George also had to be very careful when dealing with Poland because he had to be concerned about the extreme right and left groups in his cabinets.[11] Lloyd George was the leader of a minority political party in Britain, which meant that in order to remain in power he had to maintain a coalition of left and right groups in Parliament. The Liberals in Britain tended to support limiting Polish expansion, while the Conservatives tended to support Polish expansion. In particular, Lloyd George knew that if he caused the Conservatives to unite against him it would cause the end of his government.[12] This meant that the only way Lloyd George could sur-

vive politically was to avoid addressing issues, such as the territorial boundaries of Poland, that might split his coalition or cause it to turn against him.

Lloyd George's plan of trying to establish Polish boundaries along ethnographic lines contained a fatal flaw—the difficulty of identifying different ethnicities in Eastern Europe. Debates centered over whether ethnic identity was religious or linguistic. Were Polish-speaking Protestants in East Prussia German? Were Lithuanians a separate nationality or a variety of Poles? Were Ukrainians really Russians?[13] To further complicate matters, ethnic islands also existed everywhere in Eastern Europe. Wilno (Vilnius) was an example of this because the city was predominately Polish but the surrounding region was strongly Lithuanian.[14] There proved to be no way to settle this issue fully, which was one of the leading causes for Lloyd George's later insistence on deciding territorial disputes by plebiscites.

Although Lloyd George was the dominant figure in deciding British policy toward Poland immediately after World War I, Winston Churchill represented the very pro-Polish Conservative faction within the British government. Churchill sympathized with Polish demands for independence during World War I, and he supported Poland's historical claims.[15] Yet Churchill had other reasons for supporting Polish military actions against the Ukraine and Russia. Churchill always had an intense disgust for Bolshevik Russia and he helped to slow British trade talks with the Soviet regime while he supported Polish expansion.[16] He was deeply afraid of the spread of Bolshevik ideals and championed the Poles as crusaders against communism. Although Churchill would have little impact on Britain's ultimate decisions toward Poland (mainly for his involvement in planning the failed Gallipoli campaign during WWI he loudly argued in favor of the Polish cause within Lloyd George's cabinet.

Many of France's statesmen shared a similar outlook toward Poland, so there was not a single dominating French statesman who directed the country's policy toward Poland. France and Poland had shared a strong historical tie since the seventeenth-century when France became increasingly interested in foreign trade with Poland.

During the nineteenth-century, France expressed sympathy for the Polish cause as a symbol of struggle against absolutism and national oppression.[17] Many Polish historical leaders were idolized by the French, and France regarded the Poles as comrades during World War I. After the war many Frenchmen still viewed the Polish cause as the same as France's and felt that all nations should unanimously support the Poles against potential German imperialism and Bolshevik expansion.[18] Yet there was far more to France's support of Polish claims than just the sympathy for the Polish cause.

France's greatest concern at the end of World War I was the possibility of a renewed Germany and it was essential to prevent that outcome. Unlike Lloyd George, the French delegates believed the road to lasting peace was to weaken Germany as much as possible. To achieve this end, the French delegates wanted to give Poland large tracts of German territories regardless of the ethnicity of the inhabitants.[19] Also, an enlarged Poland meant that Poland would serve as a better military ally against Germany if another war did occur.[20] The French delegates already aspired to weaken Germany in Western Europe with plans to occupy the industrialized Rhineland, which France would succeed in doing in 1923. From the French perspective, all that was necessary to assure a permanent peace was to make sure Germany did not maintain control over its eastern industrial regions of the Sudetenland and Silesia. If France failed to have Germany cede these industrial territories to either Poland or Czechoslovakia, it would again be possible for the Germans to expand eastward into the Baltic region in order to increase their strength. If this occurred, the French believed they might not be able to defeat Germany in a future war.

Although it is easy to understand France's support for giving Poland German territories, the former Russian territories remained more complicated. With Russia's future still uncertain in civil war, France was searching for another East European ally. The French delegates believed it was essential that Germany would have to fight on two fronts if France and Germany went to war again. Imperial Russia had performed the role of Eastern ally to France during World War I. Therefore, France saw Poland as the military substitute for Impe-

rial Russia.[21] Should the Bolsheviks' "white" opponents win the civil war, there would be a need for an alliance with Poland. Not even the French delegates had an answer for that potential outcome during the Peace Conference, but the possibility of the Whites emerging victorious was not unthinkable in 1919. More important, the White Russian delegates in Paris made sure always to remind Foch and Georges Clemenceau, Premiere of France in 1919, of the probability that they would emerge victorious against the Bolsheviks. Thus the White Russians did not want Poland to take any more territory that they believed belonged to Russia.[22] Therefore, France decided that the best possible thing to do when Poland sought political support for its eastern territorial claims was not to comment on the issue at all.

Georges Clemenceau, though not the sole force of French foreign policy despite his position as premiere, had his own perspective on the Polish question. Clemenceau emphasized how the Treaty of Brest-Litovsk[23] and the withdrawal of Russia from the allied war effort changed the overall objective of the conflict. Clemenceau remarked:

> Alas, we [the Allies] must have the courage to say that our pro-gramme, [sic] when we entered the War, was not one of libera-tion! The surrender of Russia, no longer able to bear the strain of the War, changed the data of the problem, by grouping round us forces striving for national restoration, which had been in-compatible with the presence of the Czar in our ranks. We had started a war for our own deliverance in which we called on all who were capable of offering resistance, and here at the height of the struggle the Russian champions of oppression in Europe collapse before the German champions, at grips with such rem-nants of the dismembered nations as still had life in them.[24]

Clemenceau originally believed that World War I was merely a power struggle between the great powers of Europe. Political ideals such as liberation, at least at first, were not even discussed by the Allies. Yet as World War I dragged on and the casualties mounted, the war, perhaps out of necessity, took on a moral objective. This moral characteristic was further supported by Woodrow Wilson's Fourteen Points, which were designed to establish a lasting peace in the world. Liberation of

the oppressed people in Europe was the moral cause of the allies. By the end of the war, Clemenceau held that the right of nations to govern themselves was the only thing left to the allies after four bloody years of conflict.[25]

Poland was the country that best represented this new war aim and the new problems between Clemenceau and England. He described Poland as a heroic example in which one could see the whole scope of the question of liberation by the allies.[26] Like many of his French compatriots, Clemenceau was highly sympathetic toward the Polish cause. He felt that the partition of Poland was one of the greatest crimes in human history. Yet what Poland really represented to Clemenceau was not the ideas of liberation or a Europe without war. Instead, Poland represented the rift that had opened between Britain and France during Versailles. Clemenceau summed up his opinion of Lloyd George by asking, "Were we to remain with Mr. Lloyd George under the domination of the "*Traditional British policy*," which consists in keeping the continent of Europe divided for the benefit of the islander, which had led to the present conditions of anarchy, and threatened to engulf us in them?"[27]

The best way the British delegates were to keep the continent divided, according to Clemenceau, was to keep Germany strong enough to counterbalance French power on the continent. Clemenceau believed the British were less willing than he to give Poland German territory not because of ethnic issues but because Lloyd George planned to use Germany to counter French political and military power. When Lloyd George met Clemenceau in London, he asked Clemenceau if he had anything to say to him. Clemenceau remarked that the very first day after the armistice he had found Britain to be an enemy of France. Lloyd George responded, "Was it not always our traditional policy?"[28] This was old European politics at work with both Poland and Germany being one of the factors that could affect the overall balance of power.

Clemenceau was also highly suspicious of America's motives in the post-war atmosphere. He believed that America had grown rich

on the war and that the goal of Woodrow Wilson, President of the United States, was to secure markets in Europe for American goods.[29] As far as the rebuilding of Europe, Clemenceau felt that America did not give enough support to France after such a devastating war. He believed that America came to Europe to establish the Polish Corridor and then return into political isolation without accepting the consequences of such actions. America also threatened the stability of Europe with the Freedom of Seas Act, which only provoked Britain further. Clemenceau would remain suspicious of American motives for the rest of the Peace Conference.

Woodrow Wilson was the sole driving force behind American international policy toward Europe. He was incredibly popular among the majority of the European population for his Fourteen Points.[30] The Fourteen Points were his plan for peace in Europe. Some of the major aspects of Wilson's peace program were freedom of the seas, weapons reduction, territorial adjustments between nations, and the establishment of the League of Nations. Yet the political isolationist stance of the American Congress ensured that Woodrow Wilson would be the only real voice of American policy in Europe and, more important, that there was a limit on what he would be able to accomplish. The establishment of a Polish corridor was the most significant impact Wilson had upon the new Poland. Because the "Polish Corridor" was part of Woodrow Wilson's Fourteen Points, Britain and France felt it was necessary for them to see it through.

Wilson also wanted to halt the spread of Bolshevism in Eastern Europe. He was reluctant to use force to do so; however, this did not necessarily mean negotiating with the Soviets but, rather, finding a way to stabilize Eastern Europe. One of the ways America wanted to do this was through food relief.[31] The common notion was that Bolshevism thrived on starvation and anarchy, and, since America had a large surplus of food after the war, it was relatively easy for America to send the goods. Ignacy Jan Paderewski, Polish Premiere and Foreign Minister, wanted far more from the Allies than food surplus. He felt that America's lack of military assistance to the new Polish repub-

lic was due to German propaganda that portrayed Poles as the aggressive party in Eastern Europe. He vehemently argued against such accusations and requested from Wilson material support, as well as enabling Haller's Army to return to Poland so the Poles could defend themselves.[32] Wilson was willing to listen to Poland's arguments but remained limited in his actions because of Congress, which did not want America to get involved in further military conflicts.

The different policies of Britain and France would first clash in the debate over the establishment of the Polish Corridor to the Baltic Sea. However, the Allies realized that giving Poland an outlet to the sea would result in part of East Prussia being turned over to Poland, which would separate the rest of that territory from Germany.[33] The Allied Commission in Paris proposed giving Poland the city of Danzig and the surrounding strip of territory.[34] Lloyd George agreed to the idea of giving Poland some access through Danzig, despite a predominance of Germans in the region because "without access to the sea, Poland would be stifled."[35] The necessity for a Polish corridor became even more evident when Poland was being drawn into military conflicts with the Ukraine and Germany in 1919.[36] Paderewski described the corridor as the lifeline of Poland. Yet Lloyd George still wanted the Polish Corridor to contain the least amount of Germans possible.[37] Also, all members of the commission were concerned about having Germany cut off from East Prussia due to the problems of German transportation between the regions. Clemenceau supported the idea that East Prussia should be established as a separate republic because "the more separate and independent republics established in Germany the better he would be pleased."[38] Although this idea of a new East Prussian republic was quickly dismissed, it further revealed the tension between France and Britain.

Because Britain was greatly concerned about German minorities in Poland and all the members at the Peace Conference were concerned about the splintering off of East Prussia from Germany, the Danzig issue ended in a compromise. Poland was forced to allow the transportation of all German persons or goods across Polish territory and would be obligated to "treat them at least as favorably as the per-

sons, goods, vessels, carriages, wagons and mails respectively of Polish or of any other more favored nationality."[39] As for Danzig itself, it would not be directly annexed by Poland. Rather, the area would be established as the Free City of Danzig, which would be economically dependent on Poland, but the city would fall under the protection of the League of Nations.[40] Yet Lloyd George was unwilling to give Danzig to the Poles for another reason. The Italians were demanding that they should be able to annex the city of Fiume.[41] Lloyd George believed that if he gave Danzig to the Poles he would also have to give Fiume to the Italians, which he did not want to do for political reasons.[42] Danzig becoming a free city was acceptable to the French because it meant less territory restored to Germany, and acceptable to the British because it meant fewer Germans would fall under direct Polish administration.

Unlike the French and the British, the Poles were dissatisfied with the final arrangement regarding Danzig. The city of Danzig had been taken by Poland from the Teutonic Order in 1466 and had been a major center of trade in the Baltic Sea.[43] Furthermore, Dmowski specifically mentioned the region in his address to the Allied Commission in 1919. He had quoted Danzig as an illustration of how certain regions were not ethnically German but Germanized. Dmowski felt that, although German statistics showed that only 3 percent of the population was Polish, the actual statistic was at least 40 percent.[44] According to Dmowski, the reason why so many Poles were unwilling to state their real nationality was a fear of being dismissed from their jobs.[45] Dmowski's speech apparently had very little impact on the Allies' final decision and the Poles had no choice but to accept Danzig as a free city.

The conflict between Britain and France was more intense during the debate over Upper Silesia. Within Upper Silesia was a triangular region of mixed German and Polish population that contained a wealth of mines and factories. This Upper Silesian "industrial triangle" was what Lloyd George saw as the Alsace-Lorraine of Eastern Europe and he demanded that all of Upper Silesia be solved by a plebiscite.[46] France proposed that all of Silesia, not just Upper Silesia,

be handed over to the Poles regardless of the ethnicity of the inhabitants.[47] This idea outraged Lloyd George, who quickly dismissed it, but even the proposal of the idea by France terrified the Germans. Germany, having lost Alsace-Lorraine to France and burdened with the responsibility of paying off large war reparations to the Allies, stated that the region was essential for Germany to pay off its debts. German diplomats declared "Germany cannot dispense with Upper Silesia. Poland does not need it."[48] The German protest against the cession of this province was long and vehement. Germany was determined to keep Upper Silesia at any cost.

The Allied commission finally decided to support Lloyd George's proposal and declared that the region should be solved by plebiscite. Yet severe problems emerged immediately after a plebiscite was declared. Since the Treaty of Versailles took effect in 1920, Upper Silesia was temporarily under Allied control until the results of the plebiscite could be determined. This meant that Allied forces, with a predominance of French soldiers, were temporarily occupying the region to maintain order. When the polls were being prepared for the plebiscite, the Polish government accused the Germans of purposely transporting outside voters into Upper Silesia to make it appear more pro-German than it really was.[49] The French delegates in the region also supported the Polish accusations against the Germans. What resulted were massive Polish uprisings against German authorities within Upper Silesia. British policymakers were greatly upset by the lack of action against Polish insurgents by French soldiers. Although the Polish insurgents were eventually put down, the lack of French involvement illustrated clearly how split the allies were on the Upper Silesia region.

Lloyd George had hoped for fair play by both sides in Upper Silesia but both the Poles and the Germans were fighting desperately over complete ownership of the region. Germans continued to insist that Upper Silesia was necessary to make reparations and launched a massive pro-German campaign to instill a sense of German pride among the Upper Silesian population. This resulted in additional Polish uprisings against German authorities, and the French soldiers continued to refrain from intervening. The battle for Upper Silesia came to a boil

in a meeting of the Supreme Council, when Lloyd George personally confronted the French delegate Aristide Briand, head of the French Presidential Cabinet, over Upper Silesia. Lloyd George accused the French of being concerned only with their security while Briand tried to illustrate the delicacy of the matter with regard to both the German propaganda and the Polish uprisings.[50] Yet it became clear that the real issue throughout the debate was the "industrial triangle."

The matter eventually went to the League of Nations, where the British felt that they could finally overrule the French opposition. However, British power was spread too thinly over such matters as the troubles in Ireland and the Greek-Turkish conflict.[51] Without strong British influence, the League finally decided to give 70 percent of the territory of Upper Silesia to Germany, but three-quarters of the coalmines and ore reserves, along with a majority of the industrial installations, went to Poland. However, for fifteen years Poland was required to export to Germany the products of the Upper Silesian mines in order to help the Germans cover their reparations.[52] The Germans protested but, without British support, could accomplish little and the Upper Silesia issue finally came to an end in 1922.

Poles were also outraged by the results of the Upper Silesia problem. Dmowski had made it known in his speech in 1919, that, although Silesia had been lost in the fourteenth century, 90 percent of the population was Polish.[53] In this case Poland was laying claim to Silesia for ethnic reasons and firmly believed that Germany had unlawfully transported outside voters to alter the results of the plebiscite. More importantly, the Poles were aware that it was the British who had caused the resulting compromise. On May 15, 1922, when Poland and Germany signed the treaty settling the Upper Silesia dispute, both the Sejm and the Reichstag dressed in mourning for the occasion.[54] It was a compromise that left all parties dissatisfied with the results.

The dispute over Polish territory during the Peace Conference at Versailles had always been a dispute between Britain and France. The French had always viewed Poland as a strategic center, while the British viewed it as a troublemaker for trying to include too many

non-Polish minorities.[55] This in itself caused the Poles to become disillusioned about what the Allied cause really was in regard to the reestablishment of its nation. To further complicate matters, the Allies also sent mixed signals as to what it wanted Poland to do about Bolshevik Russia. The Poles were led to believe by Churchill and the French that they should fight the Bolsheviks, only to see their expectations dashed by a reduction of Allied armaments flowing into Poland and speeches by Lloyd George condemning Polish aggression.[56] This confusion was further compounded by the complete lack of a coherent Allied policy for Poland's eastern frontier and the future of the Baltic States.[57] These confusing signals had the immediate result of shattering Polish confidence in Allied assistance in 1919. The Danzig and Upper Silesia compromises outraged Polish politicians, who believed that Lloyd George and Britain were purposely weakening Poland in order to make it vulnerable to German or Soviet attack. Both Paderewski and Dmowski were unhappy with the final compromise and denounced Lloyd George's accusations that Poland was behaving imperialistically, especially since the British Empire contained hundreds of millions of non-British subjects.[58]

Even France proved to be an immediate disappointment to Poland for not being able to guarantee Poland's territorial claims in the west and not showing any support for Polish claims in the east. The conflict between Britain and France ensured that the Poles would not be able to acquire their historical territory. Instead, Versailles was only able to establish Poland's western border. Yet the immediate effect of this political conflict at Versailles in 1919 was that Poland decided to try to independently establish its eastern territories without Allied assistance or consent. This is what led the Poles to annex Galicia in 1919 and, eventually, led to the conflict with the Soviet Union in 1920. As for the Western viewpoint on the results of Versailles, Clemenceau firmly believed that the Western intervention in reshaping Eastern Europe would never be forgiven by all the nations affected by the process.[59] In many ways he was right. §

ENDNOTES

1. Lloyd George, *Memoirs of the Peace Conference*, Vol. 1 (New Haven: Yale University Press, 1939), 204.

2. George, *Memoirs of the Peace Conference*, Vol. 1, 204.

3. George, *Memoirs of the Peace Conference*, Vol. 1, 205.

4. George, *Memoirs of the Peace Conference*, Vol. 1, 201.

5. Margaret MacMillan, *Paris 1919: Six Months That Changed the World* (New York: Random House, 2001), 214.

6. Norman Davies, "Lloyd George and Poland, 1919-20," *Journal of Contemporary History* Vol. 6, No. 3 (1971), 148.

7. George, *Memoirs of the Peace Conference*, Vol. 1, 189.

8. George, *Memoirs of the Peace Conference*, Vol. 1, 189.

9. Lloyd George, *Memoirs of the Peace Conference*, Vol. 2 (New Haven: Yale University Press, 1939), 643.

1.0 Davies, "Lloyd George and Poland, 1919-20," 139.

11. Davies, "Lloyd George and Poland, 1919-20," 134.

12. Davies, "Lloyd George and Poland, 1919-20," 135.

13. MacMillan, *Paris 1919*, 216.

14. MacMillan, *Paris 1919*, 215.

15. Winston Churchill, *The Unknown War* (New York: Charles Scribner's Sons, 1931), 6-7.

16. Davies, "Lloyd George and Poland, 1919-20," 135.

17. Anna M. Cienciala and Titus Komarnicki, *From Versailles to Locarno: Keys to Polish Foreign Policy, 1919-25* (Lawrence: University Press of Kansas, 1984), 13.

18. Alfred Fabre-Luce, *Locarno: The Reality*, trans. Constance Vesey (New York: Alfred A. Knopf, 1928), 110-111.

19. Arnold Wolfers, *Britain and France between Two Wars: Conflicting Strategies of Peace Since Versailles* (Hamden, Connecticut: Archon, 1963), 98-99.

20. George, *Memoirs of the Peace Conference*, Vol. 1, 203.

21. Wolfers, *Britain and France between Two Wars*, 18-19.

22. Cienciala and Komarnicki, *From Versailles to Locarno*, 15.

23. Peace treaty signed between Russia and Germany in 1917.

24. Georges Clemenceau, *Grandeur and Misery of Victory* (New York: Harcourt, Brace and Company, 1930), 190-191.

25. Clemenceau, *Grandeur and Misery of Victory*, 190.

26. Clemenceau, *Grandeur and Misery of Victory*, 190.

27. Clemenceau, *Grandeur and Misery of Victory*, 198.

28. Clemenceau, *Grandeur and Misery of Victory*, 121.

29. Clemenceau, *Grandeur and Misery of Victory*, 386.

30. American Isolation from European affairs after World War I was made complete with America not joining the League of Nations, an international institution designed to maintain peace and stability in the world.

31. *The Papers of Woodrow Wilson*, Edited by Arthur S. Link, et al, Vol. 53, *November 9, 1918-January 11, 1919* (Princeton: Princeton University Press, 1986), 692.

32. Haller's Army was a well-equipped Polish Army sponsored by the Polish National Democrats party that fought on the Western Front in 1918. The army got its nickname from its commander, Josef Haller. *The Papers of Woodrow Wilson*, Edited by Arthur S. Link, et al, Vol. 54, *January 11-February 7, 1919* (Princeton: Princeton University Press, 1986), 32.

33. *The Papers of Woodrow Wilson*, Vol. 53, 338.

34. Danzig is called Gdansk in Polish.

35. George, *Memoirs of the Peace Conference*, Vol. 2, 636.

36. *The Papers of Woodrow Wilson*, Vol. 54, 480-481.

37. George, *Memoirs of the Peace Conference*, Vol. 1, 272.

38. George, *Memoirs of the Peace Conference*, Vol. 1, 189.

39. *The Treaty of Versailles and After: Annotations of the Text of the Treaty* (Washington: United States Government Printing Office, 1947), 219.

40. *The Treaty of Versailles and After*, 253.

41. Fiume was a coastal city in the Austria-Hungarian Empire claimed by the Italians for ethnic and historical reasons. The city is now part of Croatia and is called Rijeka.

42. *The Papers of Woodrow Wilson*, Edited by Arthur S. Link, et al, Vol. 56, *March 17-April 4, 1919* (Princeton: Princeton University Press, 1986), 396.

43. Adam Zamoyski, *The Polish Way: A Thousand-Year History of the Poles and their Culture* (New York: Hippocrene Books, 1987), 47.

44. George, *Memoirs of the Peace Conference*, Vol. 2, 632.

45. George, *Memoirs of the Peace Conference*, Vol. 2, 632.

46. F. Gregory Campbell, "The Struggle for Upper Silesia, 1919-1922," *The Journal of Modern History*, Vol. 42, No. 3 (Sep., 1970), 361.

47. George, *Memoirs of the Peace Conference*, Vol. 1, 257.

48. George, *Memoirs of the Peace Conference*, Vol. 1, 458.

49. Campbell, "The Struggle for Upper Silesia," 366-367.

50. Campbell, "The Struggle for Upper Silesia," 381.

51. Campbell, "The Struggle for Upper Silesia," 382.

52. *The Treaty of Versailles and After*, 220.

53. George, *Memoirs of the Peace Conference*, Vol. 2, 632.

54. The Sejm is the Polish parliament while the Reichstag is the German parliament. Campbell, "The Struggle for Upper Silesia," 385.

55. Wolfers, *Britain and France between Two Wars*, 265-266.

56. Davies, "Lloyd George and Poland," 139-140.

57. MacMillan, *Paris 1919*, 222.

58. George, *Memoirs of the Peace Conference*, Vol. 2, 648.

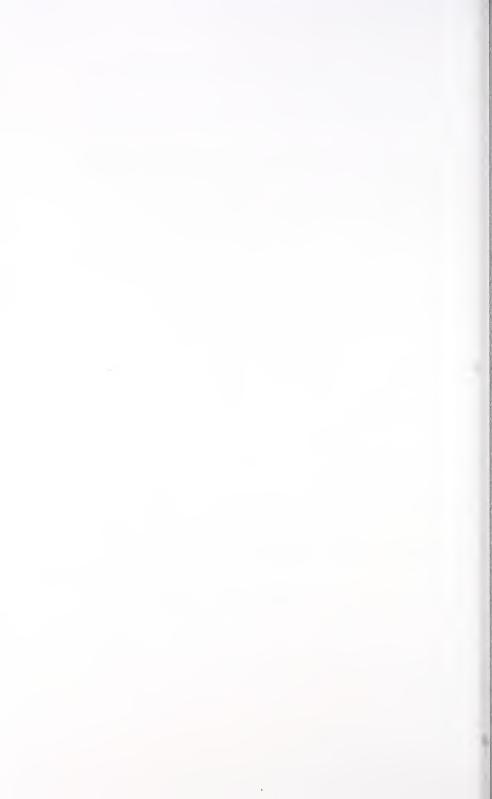59. Clemenceau, *Grandeur and Misery of Victory*, 386.

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NOTES FROM ABROAD

The Cadeaux Trap

ANDRIA HAYES-BIRCHLER '03

It is a refrain heard around the Peace Corps world. "I joined because I wanted to save the world. But . . ." There is almost always a "but." After the first six months, the first year, or even the completion of two years, most Volunteers find themselves questioning, challenging or flat out abandoning their initial intentions and perceptions of development work.

It is not that the hot, sweaty reality of development work necessarily destroys idealism or discourages hope. After one year as a Volunteer in Mali, I feel no less affection or optimism towards Africa than I felt in the florescent lit classrooms of Washington College. In my tiny rural village of Kossoumbugu, located in Southern Mali near the borders of Burkina Faso and Cote D'Ivoire, I have found a life I never could have imagined back in my academic days of Fanon or Morgenthau. Researching the effect of the US cotton subsidies on West African economies has given way to pushing a donkey-led plough through my host father's cotton fields. Debating the merits of the International Court of Justice does me little good as I struggle to keep

up with the women shucking corn under the mango tree. And I have not yet translated the United Nations Charter into Bambara.

The academia and the reality of Africa are so different that the former becomes nearly inconsequential when faced with the latter. Likewise, American perceptions of starving children in Africa may be valid in crisis torn regions but the children in my village, while uniformly malnourished, delight in evening soccer games and sticking kernels of corn up their noses.

Kossoumbugu is a village thriving with life. The women wash their clothes together near the wells and gossip about their men. They pound millet fiercely, competitively, rhythmically. The men meet in the afternoons, when 120 degree temperatures force livestock to hide in the narrow shadows of mud walls, and they boil three rounds of potent gunpowder tea. The tea is dark and thick as syrup and the men drink it out of shot glasses. On full moon nights the village stays awake until early morning hours, delighting in the pale blue light that casts shadows and plays games with the eye. On fete days the village dances until sweat pours down their bare arms, shimmers on their foreheads.

It begs the question, "What, exactly, does this world need saving from?"

But, of course, there are problems. There is chronic malnutrition, high infant mortality, malaria, dysentery, contaminated water sources, widespread excision, and a plethora of other challenges making life in Kossoumbugu exhausting and, all too often, short. But are there solutions? What are they? And where do they come from?

The latter question has proven to be the most difficult, frustrating and unexpected issue I have faced in Mali. Despite two previous experiences in Africa, first as an exchange student in South Africa and later as a volunteer in Tanzania, I was entirely unprepared for the effect four decades of development aid has had on the fabric of Malian society. Decades of starry-eyed Volunteers, aid workers, missionaries, and NGOs who strive to save the world made the answer apparent to the people of my village: "Development" comes from the outside. It wears nice suits, speaks French, and rides in private automobiles.

"Development" is often white-skinned, always educated, and usually lives in urban households. Development does not eat millet. It doesn't have calluses on its hands or feet. Development does not shuck corn under mango trees.

"Development" is an outsider who comes to the village to give away gifts. Cadeaux. The people of Kossoumbugu are the hardest workers I have ever met. They are often clever, determined, and creative. And yet when faced with the issues of development, all eyes turn towards Bamako, France or the United States because that is where the solutions live.

Take, for example, the market town of Somadugu. Somadugu is a village of approximately 3,000 people. The village possesses six pumps and plans for a water tap system are in the works. Literally tens of thousands of dollars has been spent on the installation and maintenance of these potable water sources. Countless NGO's have given countless educational workshops on the benefits of drinking pump water. When asked, both men and women are quick to answer that diarrhea and other diseases (including cholera, dysentery and Guinea worm) come from contaminated water and to prevent these diseases one must drink filtered and treated water from improved wells, or else drink water exclusively from pumps.

In a recent workshop held in Somadugu men and women were separated and each group asked to rank six photos in order of water sanitation. The photos reflected a river, a traditional well, a slightly improved well, a clean cement well, a pump, and a water tap. Each group successfully ranked the photos in order of water quality, from river water to water tap, and when asked where *their* drinking water came from they answered "clean cement well" or "pump."

However, a Water and Sanitation Survey done in Somadugu interviewed a random sample of 20 families (450 individuals) and asked women where they pull their daily drinking water. 100% of the women answered "traditional or cement wells." Not a single family reported drinking pump water. These findings were repeated in a community meeting where individuals (both men and women) were asked to list places water could be fond in Somadugu. 15 sources

were listed, from family wells to common wells to the pumps. When asked to choose the 5 most utilized sources, all 5 were wells.

Perhaps unsurprisingly, 45% of people surveyed reported having diarrhea "sometimes" and an additional 10% reported having diarrhea "often." Many of these families reported deaths within the past year, with malaria and diarrhea being the primary source of death.

In a community with thousands of dollars worth of infrastructure and educational initiatives, all aimed at increasing the quality of drinking water and decreasing the incidents of water-related diseases, why are people still consuming contaminated water? Why are a majority of people in Somadugu still suffering from potentially fatal water-related diseases?

These questions are just the tip of the sand dune. Why is education not leading to behavioral change? Why do villages spend money on infrastructure they do not utilize? Why is Somadugu bothering to invest in an expensive water tap system when the current pumps are not being used? Are men aware of where their drinking water is actually coming from? Is it reasonable to expect women to add more work to their already exhaustive days to fetch pump water every day?

The answers are not clear. What is clear, however, is current development strategies are not complete. International aid can install pumps in every village in Mali. It will do little good if people are not drinking water from those pumps. Development workers can lecture on proper sanitation from morning until evening. It does not appear to be changing behavior.

Within my own village, Kossoumbugu, people are consistent in their expectations. They expect solutions to come from the outside. They would like to improve their nutrition with community gardens or a community orchard. They have done neither, however, because no one has given them the fencing to do so. They would like to improve their school but no one has given them money for cement. At one point, in an attempt to fight the often-fatal dehydration of infant diarrhea, I taught the women how to make oral re-hydration fluids using pump water, sugar and salt. All the ingredients are available within the village limits. Several weeks after my demonstration,

however, I approached a woman with a particularly sick child whose symptoms included weeks or diarrhea resulting in severe malnutrition and dehydration. "Is your child better?" I asked.

"Yes, he was getting better when I fed him your medicine. But it is all gone now. He is sick again. You need to give me more medicine." I explained that the whole point of the fluids is that it is a cheap means of helping her son—something she could do on her own whenever he became ill. "No," she disagreed fiercely, "YOU need to give him more medicine."

This conversation was not an isolated one.

"Hawa," my friend Sata said to me one evening as we drank tea together, "do you know the Volunteer who used to live in Kuncilia? She spoke Bambara really well and she did so much work. Oh, she did a lot of work!"

"What sort of work did she do?" I asked, eager for ideas as I was still in my fledgling stage of volunteering.

"Oh, she did so much work! She bought Kuncilia a brand new pump! And a millet grinding machine. And she gave everyone shirts."

"She gave everyone shirts?"

"Yes. And a pump. And a millet grinder."

"Sata, did she do a lot of work or give away a lot of things?"

Sata looked at me in utter confusion. She shrugged. When it comes to development, what is the difference?

But then, why wouldn't the people of Kossoumbugu and So-madugu feel this way? Decades of world-savers have swept into their communities, thrown thousands of dollars into infrastructure change or quick-fix programs, and then swept right back out. Rather than putting the expectation of change on the community, these world-savers try to change things themselves. Rather than encouraging creativity and initiative, the world-savers encourage the hierarchy of "aid giver" and "aid receiver." Development thus becomes synonymous with dependency. The message given by four decades of development cadeaux is apparent. You are poor. You are powerless. You are not able to take control of your own life, your own health, and your own

destiny. You do not speak French, wear suits, or drive in a land-rover. You are victims of poverty and only we can help you. Don't you want our help? Don't you want our cadeaux?

Peace Corps likes to pride itself on overcoming this cadeaux trap. Peace Corps Volunteers, after all, learn Bambara. We eat millet. We pull water from wells, live among the people we intend to help, and push the word "sustainable" from dawn to dusk. We give up electricity, paved roads, and protein all to serve the people of our host communities.

Yet, as the old Bambara proverb states, "no matter how long a log lies in the river, it does not become a crocodile." Peace Corps Volunteers may excel at integration, become fluent in their native languages, and make close friends in their villages. But they are still Americans. They are still outsiders. And, in many instances, the solutions they offer still include giving large amounts of money or resources to the people of their communities. The cadeaux trap continues.

As for myself, I wanted to save the world but ... now I wonder what exactly the world needs saving from. It is possible the primary thing Kossoumbugu needs protection from is the world-savers themselves. §

Expatriate Games

The Art of Semi-Permanence

KEVIN S. ROLAND ·'96

It was perfect. Having wound past the ancient market stalls over-flowing with fresh cardamom, cinnamon and trademark-violating tube socks, we spotted the minarets of the Ummayyad Mosque extending above the narrow alleyways of the Damascus medina. Heading vaguely in the direction of the Cham Palace Hotel and our vehicle, dodging the ubiquitous mopeds and stray cats, the opening was barely perceptible. As we leaned against the grimy plaster of the alley and peeked past the heavily studded door, the beauty of the courtyard was astounding. "I could get used to this."

Having only arrived in neighboring Jordan several months earlier for my first overseas assignment in the Foreign Service, our immersion into a landscape, culture, and language so—pardon me—*foreign* to that which we were accustomed was a daily source of wonder, chal-lenges, a little frustration, and a lot of reward. Still is, as a matter of fact, several years and continents later. Throughout this period, though, I have also begun to appreciate the existence of another over-seas experience, neither familiar nor entirely foreign, existing within but apart from the daily life of the host country.

THE "EXPAT"

Shared experience is a powerful draw, particularly when you find yourself in an unfamiliar environment. New job, new house, new school, vintage Ladas, and as-yet-unseen-by-you varieties of meat roasting away on the street corners are all sources of great excitement upon arrival in a new locale. A sense of dislocation, though, may also find its way into the accompanied baggage, and if un-remedied, can adversely affect your work and overall experience in that country. More likely than not, however, a little dose of familiarity is close at hand in the form of the expatriate community.

For my purposes here, I'll define an "expat" as someone living permanently or semi-permanently, by choice, in a country other than that of their birth and rearing. The "choice" may involve a career that has sent them abroad, a quest for gentler weather and cheaper golf, the pull of family and relations, or any number of compelling reasons. (Of course there are millions forced to live in countries other than that of their birth due to political and economic circumstances, but that is a topic for another article.) Employees of diplomatic missions in foreign capitals form a component of these expat communities, but in my experience are outnumbered by the teachers, bankers, contractors, hotel managers, and others that keep the globalized economy moving and staff the many non-governmental organizations (NGOs) that operate internationally.

The "expat community" can mean many different things to different people depending on their origins and their location, but the name often connotes groupings of people or activities that add a touch of "home" to the foreign. It could be the local Little League in Riyadh or the group (who shall remain nameless) who gathers to watch day-old "Survivor" episodes within walking distance of the ruins of Carthage. Some may argue that the expatriate community is an insular and convenient crutch for those not willing to adapt to unfamiliar surroundings, but I believe it can be an invaluable and complementary part of an overseas experience and the source of lasting insights and friendships.

CENTRIPETAL FORCES

In my opinion, speaking and appreciating the language of your host country is vital to personal and professional enjoyment while posted abroad. The grasping of local idiom and nuance opens up insights into the richness of a country's history and culture, and your efforts in the lingua franca, however grammatically flawed, are generally warmly welcomed. That said, launching into a conversation in your native tongue, blissfully unaware of tricky case endings or the pitfalls of double-entendre, can be at times a guilty pleasure. I'm not breaking any new ground when I say that others seem to agree: language often, although not necessarily, helps define the various expat groups one may encounter while living abroad.

Be it at the rugby club or salsa club, co-linguists tend to gravitate toward common venues. This tendency does not, however, promise anything approaching a homogenous experience. I remember one conversation between a Cardiff banker and a Queensland large animal vet at an Irish Pub in Amman as an amazing example of cross-cultural communication. Speaking of linguistics, I should also note that spending some time while abroad around others whose native language is roughly based on the same antecedent as mine has benefited my ability to communicate with non-native speakers of English. Baseball analogies and "Reality TV" references (see above) are quickly discarded to noticeable and positive effect.

In addition to the draw of language, the shared experience of being away from "home" is a powerful one, regardless of your love for the host country and its people, or the fact that you've been away from mom's cooking for more years than you were forced to eat it. This feeling seems to manifest itself in venues that serve up nostalgia as food, music, and, most importantly it would sometimes seem, sports. Watching the NFL playoffs at 2am with a handful of perfect strangers —who also thought it a good idea to beg the café owner with a satellite receiver to stay open—forges instant bonds. Whether its World Cup soccer or European handball, otherwise lukewarm supporters of their national teams don face paint and funny hats and congregate

in vast numbers while abroad. It's amazing what an American can learn about the intricacies of One-Day Cricket—and international political rivalries—while seated a beachside café in Kwa-Zulu Natal, South Africa. Following the weather, the latest match scores are sure-fire conversation starters the world over, and observing your fellow patrons body language as results are announced is a quick way to identify the nationality of expats abroad.

In addition to these more gravitational forces, organizations, from embassies to international schools to the local Sheraton Hotel, put on events celebrating the various cultures that make up the expat community. Events such as embassy-hosted national day celebrations and hotel food festivals draw not only the expat with a craving for haggis or hot dogs, but are highly popular with the local community. Private, non-profit organizations, such as the Community Services Association in Cairo, for example, also exist to provide the large expatriate community there with a variety of programs from newcomer's tours and cultural evenings to kickboxing classes. Organized sport and hobbies play a key role, and clubs for any number of pastimes are available in most cities. As with the national day celebrations, the expat-focused events or clubs usually enjoy strong local attendance or membership and are thus an additional place to expand your local contacts and build new relationships.

INSIGHT

We all like to get to know the place where we live whether we're look-ing to shape regional policy or for a good dry cleaner. As mentioned earlier, immersing oneself in the host country's society and culture is an important part living abroad, and for many of us, the desire to experience life in a country rather than just photograph it is a big part of why we travel in the first place. It follows that others who feel the same way will have found their way to your neck of the woods, and the resulting variety of personalities and professions can produce equally as many insights and opinions. As foreigners themselves,

your fellow expats may view goings-on in the capital and countryside through a similar lens, but most likely with a different filter. These subtle differences in perspective, by challenging your assumptions and evaluations, can enrich your own experience in country.

Thus, by opening windows into their particular fields of endeavor, friends and contacts among the expatriate community allow you the benefit of vicarious experience. In cases where work responsibilities or other factors limit opportunities for in-country travel, expat events provide venues for the aid worker, oil driller, and art teacher to meet, swap stories and share experiences. In professions which require frequent moves between oftentimes strikingly different locales, vicarious experience gives you a bit of a jumpstart when climbing the steep learning curve after a move. (It's funny how bosses never seem to view "hit the ground running" as just a cliché.) More importantly, perhaps, such gatherings allow us to laugh at ourselves and each other. Life is familiar again.

MOVING ON

Prior to embarking on overseas internship in Dublin following my junior year in Chestertown, "moving abroad" had meant the fifteen-mile trek we made down Route 40 from Baltimore to Howard County, MD when I was three years old. Thus, my overseas experience continues to be a source of excitement and discovery not only for my family but for the many friends and relations who actually enjoy all those pictures of crumbling columns and ancient cisterns. Serving abroad has been as fulfilling an experience both personally and professionally as I could have hoped, and I feel privileged to receive training in language and all of the things that help ease our integration into the society and culture in which I serve. So, anybody up for burgers and dogs after Saturday softball? §

Notes on Havana

EMILY S. GETMAN '04

I had a few ideas of what to expect in Cuba. Naturally, it would be beautiful. The large swathes of land marked for conservation could hint at what was there before sugar, coffee, and us. That the cars, the buildings, all of this would be worn yet somehow maintained. The isolation from Cuba's largest neighbor would show, but those inanimate objects would still move; the city would still bustle. That no one would tell me the truth about what was happening to the country; that there was no truth about it, just vastly diverging opinions. And to a great extent, I did find all these things. But there was more.

Mind you, these are the impressions of a visitor. Ten days makes me no expert, pitches me out with no real sense of what it would be to live in Cuba. But I don't know if ten years would give me this, either. I saw Cuba as a liberal young woman sees it, as an American sees it, as

a graduating student about to move from Chestertown to New York City sees it.

To me now, seven months later, Cuba is almost a dream. I have notes from lectures I attended. I surely remember the rhetorical lines tossed at me by the Cuban Federation of Women (FMC) and by a representative of the National Assembly. I was more apt to trust a talk given by an economist from the Cuban Economy Study Center. All the experts were telling me that Cubans would not be tied down. That the United States could not push them around. But I could walk into a store and buy a Coca-Cola with American dollars, and this was hard to reconcile with the 'Cuba Libre' propaganda covering the sidewalks. It seemed that Cubans were more resisting than revolting.

As a student of politics I went there to see for myself the state of a nation. To look between what the American press feeds us and what the Cuban press pronounces and surmise what might actually be going on. But academic study of the differences between the Cuban system and the American system lost its draw once I began to interact with Cubans. Once I began to see how people greeted each other on the street, even how they treated one another in traffic, I was amazed with the respect Cubans showed for one another. Even I, as an American, was due more respect than I might have seen in my own hometown.

There are plenty of voices talking about Cuba. About dictatorship, human rights abuses, barriers to free speech. About basic human freedoms not allowed citizens of Castro's Cuba. And I do not disagree with all those points. We can engage the notion of freedom in terms of democracy, when people can choose their own leaders and their own rules to live under. There is freedom in terms of the market and the freedom to produce and consume. In Cuba, I had the freedom to walk through the streets of Havana at night and not feel afraid. And there is something to be said for that, too. §

Kela Wali

BRENNA NAN SCHNEIDER '06

I called her "Kela Wali" and her kindness somehow radiated from the expressive wrinkles of her sun-aged dark skin. "Kela" means banana, one of the only pieces of fruit that has a peel, the protective shield guarding Western stomachs from the perils of Indian bacteria. "Wali" roughly translates from Hindi to English as sales woman. She knew and lived sales from sun up to sunset every day of the week. She sat on the corner of the slightly paved street in the middle of Bodh Gaya, India, on a thin ornate tapestry. Her colorful arrangement of locally grown vegetables and fruit always promised freshness, and somehow despite the sun's intense heat, and the dust of rural India she seemed as fresh as her papaya and plump eggplants. I often bought bananas from her, five for five rupees. She would use her knife to cut the top off of one, peel it half way for me, smile, and then hand it to me. I would smile back; our friendship was expressed through those exchanges of heartfelt smiles. I would then eat my banana, feeding the peel to whichever cow was in arms reach because in Bodh Gaya, there is never a cow farther than that.

I am an International Studies major with an interest in South Asian affairs. These interests combined with course readings ensured that before leaving for India I was well read in India themed articles, textbooks, pieces of fiction, and menus. I also had the opportunity to work for the Department of State's American Studies Institute for South Asian Leaders and to live with the participants from India, Pakistan, and Bangladesh for two consecutive summers. These experiences were both my motivation for traveling to the subcontinent and the reason for a confidence to step off the plane in New Delhi without the "Indian culture shock" that many American travelers who had previously visited South Asia described.

Today I report with equal confidence that nothing I could have read, studied, or dissected in conversation would have adequately prepared me for what I experienced upon arrival. My pre-conceptions disappeared almost immediately as I was faced with figuring out the place of a Western woman in the midst of Delhi traffic, chaos, and cows. I have studied women's issues and feminism of the developing world. I have never before been a woman who must discover women's roles in a society very different from my own. I observed Indian women in their families, jobs, and relationships and I learned through this observation not only how Indian women express their strength but also how it feels to be a woman in Indian society. When I stepped off the train in Gaya, Bihar, my legs grew weak. I have studied poverty and I believed that I had answers and solutions to world poverty. However, when poverty confronted me in the form of a starving child, textbook answers were far from my mind.

Every day life in India opened my eyes and mind to hard life realities and profound understandings of the world. I wrote numerous letters home to my family in attempt to articulate the feeling of preparing myself every morning to, once again, have my world turned upside down. Rural India introduced me to poverty, sickness, pain, and also to Indian conceptions of humanity, the importance of family, commitment to tradition, and women's issues. These are realities that words cannot do justice to. Words, similarly, cannot do justice to how these realities

impacted me and changed me. I have never before been exposed to mal-
nourished or starving children; I have never before seen doctors perform
emergency surgery on a man who is lying on a wooden bench in the
"waiting room" of a hut just ten feet to my right. I have also never been
faced with so many challenging questions, which I have asked myself
and tried to answer from the most honest place within me. Every day
I would have to find new answers to questions such as: how can I help
the begging children in town in a way that does not continue a cycle
of dependence? How do I walk through Bodh Gaya while consciously
teetering on the line between the life I know exists for me in America
and the very different life I am experiencing in rural India? How will I
ever be able to truly understand the daily and constant challenges faced
by the people I see and talk with everyday? These questions change
you from the inside out. Finding the answers to such questions is often
painful, sometimes unsuccessful, but consistently life altering.

*Five rupees in exchange for five bananas, I was desperate to do
something for the most desperate of the children who touched my an-
kles with their twig like fingers and moaned—every day. I knew the
routine, I knew each one of them. So I offered a banana to the little
girl with yellow eyes and the little boy with Polio weakened legs. I im-
mediately knew that I had made a grave mistake. Children surrounded
me grabbing bananas from my hands, fighting over them, hitting each
other; the scene grew and blurred around me, out of control. I pan-
icked inside, couldn't breathe, it wasn't an unusual feeling.*

I have been taught to write both Kela and Wali in Hindi, which
was one of the ways I could prove to the local community that I was
not the typical "Westerner" who passed by the vegetable stand one
day and disappeared the next, on to the next awe inspiring Indian at-
traction. I lived in Bodh Gaya for four months and let the dust of its
crowded streets fill my lungs and change my life. My greatest joy was
immersing myself in town, using my basic Hindi to communicate with
people I met, asking questions over a cup of chai and expressing my
love of Indian food and pujas (religious celebrations). The result of

one of these attempts at heartfelt conversation was an invitation to attend Durga Puja with the entirety of a small village from the outskirts of Bodh Gaya: this being one of my most memorable experiences abroad. In preparation, I tied my sari with the traditional local folds and I had an Indian friend decorate my hands and feet appropriately for the occasion. As I stood with the village women holding the tiny hands of two young children, two enormous statues were lit on fire as thousands of people cheered and watched. I felt so honored to be welcomed as part of the village and their part of their celebration. The women taught me the proper ways to make offerings to the deities on display in the local temples. My eyes were open to all the color, the crowds and the lights of the festival. I walked with the village women and children making ritual offerings and not only seeing, but feeling the sense of Indian family, of village kinship, celebration, and culture, an opportunity unlike any I have ever experienced.

These, and similar experiences, did change me. It is still too soon to measure the entire impact of these changes. I can, however, speak to the fact that before visiting rural India, I thought I had many answers and opinions on how to address the issues facing the developing world and the realities of impoverished communities. I quickly realized that rather than providing answers to the problems I can easily identify but not so effectively address, I must listen. There is a lot to learn from the challenges that face communities in distant corners of the world. I was surprised to step back and hear opinions of local Bodh Gayans on challenges they face, and while listening I could also see the challenges I believe America faces reflected in their dark brown eyes and thoughtful words.

I do not have answers. I left India with more questions than I came with. I believe that this is one of my greatest achievements while abroad. I still have interests in the developing world, in cross-cultural communication, and in better understanding the similarities and differences between cultures. American democracy has given me open ears to diverse views and outlooks. As my experiences with those views and outlooks transformed me in profound ways, I hope to help use what I learned, questioned, and lived to help transform the minds

and understandings of my fellow Americans. These are my future goals, as abstract as they may be. §

Contributors

ARTICLE AUTHORS

Nicole Alpert is a senior graduating as an Economics and International Studies Major, with African and Asian concentrations. She is interested in Philosophy and Sociology, and observed the impacts of SARS in 2003 while studying in Hong Kong. She conceived her article in South Africa after learning about the social similarities between SARS and the Flu. The style and diction has been altered for a different audience, however, the idea remains the same. She did not intend to be negative, chastising the journal articles cited that exemplify the paper's main point. Nicole's intention was to draw attention to the gray line that exists between legitimate reasoning, such as correct and informational news material, and prejudice or bias.

Nico Armstrong hails from Hartly, Delaware, and is a senior at Washington College. He hopes to graduate with a degree in International Studies with a Latin American concentration and a degree in Hispanic Studies. He studied abroad for one semester in Ecuador and for another in Costa Rica, both of which he enjoyed very much. The author has a propensity to unpredictably change his mind and thus is loathe to reveal long term plans, but he is willing to disclose that he has applied for the Peace Corps.

Beth Anne Hartman is a sophomore majoring in Political Science and History. She is especially interested in American Politics in the foreign policy area and hopes to work for the government in some capacity in the future. Beth Anne is a member of the Washington College Softball team and a student leader of Washington College's Fellowship of Christian Athletes.

Samuel Herman is a senior history major at W.C. He is a native to Maryland, living in his hometown Riva, just outside of Annapolis. His article is the first chapter of his senior honors history thesis entitled *A Legacy of Two Polands: The Reemergence of Poland after World War I and How its Borders Were Established*. This summer Samuel will be attending the Summer Institute for Polish Language and Culture at the Jagiellonian University in Krakow, Poland for language training. He hopes to continue his language training in Krakow for a year in preparation for applying to graduate programs in the U.S. Samuel ultimately wants to get his Ph.D. in Early Modern European History, with an emphasis in Polish History.

Brian Krist is a writer from New York, and a graduate student and KA at Washington College. He will be attending New York Law School in the fall and plans to continue working in this field. He thanks everyone who put up with him during the research for this paper, especially Kim.

Devin Murphy is a senior International Studies major at Washington College. His family lives half the year in Ajijic, Mexico, which has inspired his special interest in the connections between Mexican culture and politics. This past summer and throughout this school year Devin has taught English to Hispanic immigrants on the Eastern Shore, something which he hopes to continue in the future.

Yukiko Omagari is a senior International Studies major from Japan. She has studied abroad in Turkey, South Africa and London. She has also traveled to Canada and Japan to participate in Model United Nations programs. During her last winter break, she conducted research in Beirut, Lebanon. After initial plans to work in the fields of human rights and civil society, she plans to study international law.

Ioana Secosan is a senior International Studies and French Studies major from Romania, with a concentration field in North Africa and

the Middle East. She has studied abroad both in Morocco and France. Ioana became interested in the Western Sahara situation during her stay in Morocco as an exchange student and then as an intern at the Romanian Embassy in Rabat, Summer 2003. She continued research on the subject and developed it into the senior thesis requirement.
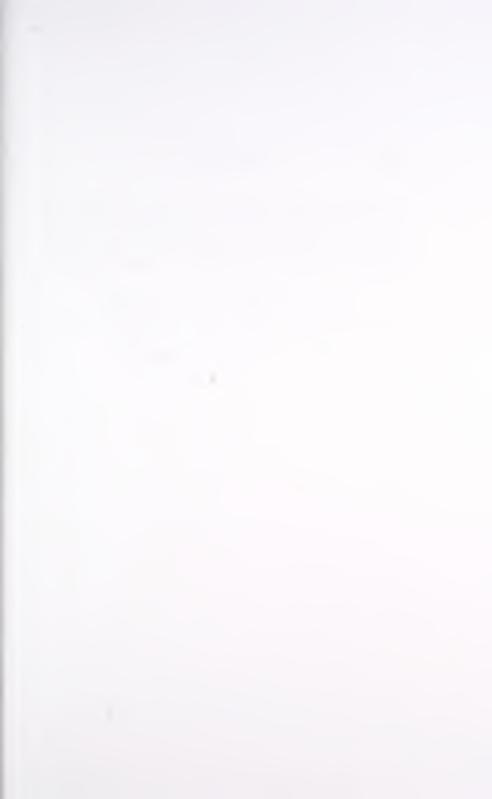
NOTES FROM ABROAD AUTHORS

Emily S. Getman, a 2004 graduate of Washington College, is currently pursuing her master's degree in International Political Economy and Development at Fordham University. Her primary areas of interest include the developing Lusophone world and Southern Africa. Emily will spend the summer of 2005 in northeastern Brazil, learning the Portuguese language and becoming acquainted with the work of Catholic Relief Services.

Andria Hayes-Birchler graduated from Washington College in 2003 with a double major in English and International Studies. She is currently a second year Peace Corps Volunteer in the village of Kossoumbugu, located in southern Mali. Her work centers around the prevention of water-borne and water-related diseases in rural communities, with an emphasis placed on particapatory methods of education, needs-assessment, project design and project implementation. Her Malian name is "Hawa Sengare" and she would like to state that all Dunbias eat beans.

Kevin S. Roland '96 is a Foreign Service Officer with the US Department of State currently attending the Department's Advanced Arabic Field School in Tunis, Tunisia. He is scheduled to depart for Cairo in the summer of 2005 to serve in the Embassy's Economic and Political Affairs office. Kevin has served previously at the US Embassies in Amman, Jordan and Pretoria, South Africa, and in the Bureau of Near Eastern Affairs in Washington, D.C. Kevin and his wife Karen Walker

Roland '96 have one son, Aidan, born in 2002 in Pretoria. Karen is employed by an international consulting firm focusing on project management and outreach in developing economies.

Brenna Nan Schneider '06 is an International Studies major with a concentration in South Asian affairs. She has spent time in France and studied abroad in the fall semester of 2004 at Bodh Gaya, India. In 2003 and 2004 Brenna participated in the American Studies Institute at Washington College. This program, funded by the U.S. Department of State, brings college-age Muslim students from South Asia to the United States to study American history, culture and foreign policy.